situation, as well as in other civil rights areas. The proposal which I support thus emphasizes preventive rather than punitive action in the matter covered in the administration bill. Since injunctions can be enforced by contempt proceedings, I feel that such an approach is far more effective than the limited usefulness of criminal action.

VOTING RECORDS

Both the administration and Johnson proposals, while differing in given respects, make provision for inspection of voting records.

I shall support an adequately written proposal and on the basis of the legislation at hand it is my belief that the administration bill offers a better approach in that there would be less delay in obtaining voting records where discrimination in voting has been charged, and it also contains the proviso that such records must be kept for 3 years; the Johnson proposal does not, thus not touching on the problem of the destruction of records. In addition, the latter proposal has a more limited application of the subpena power to obtain such records.

CIVIL RIGHTS COMMISSION

Here again, the administration and Johnson proposals contain a feature not incorporated in the Douglas-Javits-Celler proposal: That is, the continuation of the Civil Rights Commission for 2 years in the administration bill, and until 60 days after January 31, 1961, in the Johnson measure.

I think it is important that the work of the Commission continue, but that it would be a grave error to claim that such a continuation makes additional legislation in the civil rights area unnecessary.

It is important to consider strengthening the Commission by authorizing it to investigate all denials of civil rights because of race, color, religion, or national origin.

ANTIBOMBING

While antibombing provisions are not contained in the Douglas-Javits-Celler bill, I think it should be noted that I and many supporters of this specific proposal have introduced separate legislation. The administration proposal and the Johnson measure both contain provisions in this matter.

Mr. Chairman, I shall not go into a comparison of how these measures differ, but I do wish to comment that I have introduced legislation which includes residential property in its provisions. This provision has not been incorporated in several of the measures that will be considered.

I am hopeful that effective antibombing legislation will be achieved in this Congress.

CHILDREN OF MILITARY PERSONNEL

The administration proposal authorizes the Commissioner of Education to operate schools for children of members of the armed services where local schools are not operating as a result of defiance of the Supreme Court's decisions. It also provides that a school constructed in the future, built in whole or in part with Federal funds, may be taken over by the Federal Government for operation with the latter paying the State rent in line with the State's investment.

The proposal has, in my opinion, certain defects: First, if the goal in administration thinking is only to take care of children of Federal personnel, why limit it to the children of members of the armed services? Why not include other Federal employees? Second the provision with respect to schools constructed under the impacted areas program would be of limited effect, since it would apply only to future construction; thus it would not apply to previously constructed schools. And, finally, the approach offers no provisions relating to desegregating impacted area schools.

I bring to the attention of the committee the fact that the Douglas-Javits-Celler measure has broader application in dealing with closed schools since Federal funds would be offered to local communities where the State has withdrawn school payments; in addition the stronger provisions relating to school desegregation also make the approach more effective.

EQUAL JOB OPPORTUNITY

The administration propose that Congress create a Commission on Equal Job Opportunity Under Government Contracts, similar to the present Committee established by Executive order. The statutory duties and functions granted to the Commission would not differ greatly from those now exercised by the committee, except that it would be able to make its own investigations and conduct hearings.

While I think this approach could be strengthened, for example, by providing such a commission with subpena power, I would hope that creation of such a commission would be another factor in the further diminution of job discrimination by companies holding Government contracts.

My real concern, however, is that this is only a small part of the concept of equal job opportunity for all. I am proud to state that I have introduced legislation that would prohibit discrimination by companies and labor organizations because of race, color, creed, or national origin. While my proposal will not come before this committee, I merely want to apprise the members of my thinking in the matter.

CONCILIATION SERVICE

Reference has already been made to Senator JOHNSON'S proposal to conciliate disagreements by establishing a community relations service. I only wish to pose this question: Will this approach hamper enforcement?

Will conciliation, at the level it is proposed, be a necessary prerequisite of judicial action?

I wish to thank the Chairman and members for their kind attention and to commend the Committee on the Judiciary for its desire to hold full and necessary hearings on civil rights legislation.

May I merely add that I am pleased to have been able to offer my comments and to indicate my support, for the reasons I pointed out, of the Civil Rights Act of 1959.

SENATE

THURSDAY, MARCH 12, 1959

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father, God, amid all the voices of this vast and varied world save us from the supreme tragedy of missing Thy call.

As in age after age men have heard Thy voice, make us vividly conscious that we, too, can hear it when silence falls and we listen with reverent and obedient hearts.

Help us to know that not only in the haunting beauty of the earth, but also in the poignant want and woe of the world's needs, Thy voice to us is calling.

Turning aside for this dedicated moment from the violence and turbulence of human strife, we would hush the words of the wise and the prattle of the foolish. Rising above the deafening prejudices of these embittered days, may we be the hearers and doers of Thy word and of Thy will. Amen.

THE JOURNAL

On request of Mr. JOHNSON of Texas, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, March 11, 1959, was dispensed with.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting nominations was communicated to the Senate by Mr. Miller, one of his secretaries.

COMMITTEE MEETINGS DURING SENATE SESSION

On request of Mr. JOHNSON of Texas, and by unanimous consent, the following committees or subcommittees were authorized to meet during the sessions of the Senate today:

The Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary.

The Committee on Labor and Public Welfare.

ORDER FOR RECESS

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that at 12:25 p.m. the Chair may declare a recess, subject to the call of the Chair.

The PRESIDENT pro tempore. Without objection, it is so ordered.

TRANSACTION OF ROUTINE BUSINESS

Mr. JOHNSON of Texas. Mr. President, under the rule, there will be the usual morning hour; and I ask unanimous consent that statements in connection therewith be limited to 3 minutes.

The PRESIDENT pro tempore. Without objection, it is so ordered.

REPORT OF NATIONAL INSTITUTE OF ARTS AND LETTERS

The PRESIDENT pro tempore laid before the Senate a letter from the Assistant Secretary, the National Institute of Arts and Letters, New York, N.Y., transmitting, pursuant to law, a report of that Institute, for the year 1958, which, with the accompanying report, was referred to the Committee on the Judiciary.

PETITIONS

Petitions were presented and referred as indicated:

By Mr. ANDERSON:

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Finance:

"SENATE JOINT MEMORIAL 8

"Joint memorial memorializing the President of the United States, the Secretary of Interior, the Speaker of the House and the President of the Senate of the Congress of the United States, and the New Mexico congressional delegation to review and revise the policies which permit the excessive importation of petroleum into the United States

"Whereas the entry into the United States of excessive imports of foreign oil serves to

inhibit the investment of funds for oil exploration in the continental and peninsular United States; and

"Whereas the prompt discovery and orderly development of adequate crude oil reserves is essential to the continued well-being and safety of the United States; and

"Whereas current importation policies have contributed to a stagnation of investment in basic exploration and development by major and independent oil companies of the United States; and

"Whereas proven reserves in the United States have failed to increase during the recent period of heavy importation of crude oils; and

"Whereas this condition is detrimental to the economy and dangerous to the national defense; and

"Whereas New Mexico is a western public lands State which relies heavily upon the normal development of its oil and gas resources for the maintenance of its economy and in which the industry is particularly essential to the financing of its public schools: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That responsible officials of the United States and the Congress and the New Mexico delegation to Congress be respectfully urged and encouraged to initiate and continue all measures necessary to limit the importation of crude oil to the end that the domestic industry will be fostered and developed; and be it further

"Resolved, That copies of this memorial be delivered to the Honorable Dwight D. Eisenhower, President of the United States; the Honorable Fred A. Seaton, Secretary of the Department of the Interior; the Honorable Richard M. Nixon, President of the Senate of the United States Congress; and the Honorable Sam Rayburn, Speaker of the House of Representatives of the Congress of the United States; and be it further

"Resolved, That copies of this memorial be delivered to the Honorable DENNIS CHAVEZ and the Honorable CLINTON P. ANDERSON, U.S. Senators from New Mexico; and the Honorable JOE M. MONTOYA and the Honorable THOMAS G. MORRIS, Representatives at Large from the State of New Mexico.

"ED V. MEAD,
"President, Senate.
"HAL THORNBERRY,
"Chief Clerk, Senate.
"MACK EASLEY,
"Speaker, House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives.

"Approved by me this 4th day of March 1959.

"JOHN BURROUGHS,
"Governor, State of New Mexico."

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Interior and Insular Affairs:

"HOUSE JOINT MEMORIAL 3

"Joint memorial memorializing the Congress of the United States to decline passage of a bill establishing a national wilderness preservation system and designating certain areas to be maintained as a wilderness

"Whereas a bill is now under consideration by the Congress of the United States, which provides for useless and expensive regulations concerning the maintenance of wilderness areas and is generally burdensome upon the people of New Mexico and of the United States; and

"Whereas there is already an abundant supply of wilderness reservations in the Federal lands; and

"Whereas maintenance of lands as a wilderness area would make scenic wonders of the West inaccessible to many millions of people, and, as well, make such areas prey for insect pests and diseases, and, as well, make fire protection difficult and expensive; and

"Whereas it would encroach upon the water rights of the Western States, and retard their economic development; and

"Whereas the proposed National Wilderness Preservation Council does not seem necessary because it would duplicate and complicate existing services now capably administered; and

"Whereas the proposed legislation is premature until the Recreation Resources Review Commission has made its study of outdoor recreation needs and resources; and

"Whereas the proposed national wilderness preservation system is especially detrimental to New Mexico because of the unusually vast amount of federally controlled land within its boundaries; and

"Whereas this legislature and the responsible officials of the State of New Mexico recognize—

"That the social and economic welfare of New Mexico is best served by the present uses allowed of federally controlled land;

"That New Mexico has an abundance of scenic wonders of which access would be deprived by the proposed legislation;

"That the proposed legislation is burdensome and expensive to administer and will cause great inconvenience and financial hardship to the people of New Mexico;

"That the proposed legislation unduly restricts the use of federally controlled lands, and encroaches upon the water rights of New Mexico: Now, therefore, be it

"Resolved, that the 24th Legislature of the State of New Mexico, does hereby memorialize the Congress of the United States to take such steps as are necessary to insure that the proposed legislation or similar legislation relating to establishing a national wilderness system and designating certain areas to be maintained as a wilderness does not become law; be it further

"Resolved, That copies of this memorial be sent to the President of the United States, the President of the U.S. Senate, the Speaker of the House of Representatives of the United States, and the Members of Congress, and to such other officials as the Governor of the State of New Mexico shall deem advisable.

"ED V. MEAD,
"President, Senate.
"HAL THORNBERRY,
"Chief Clerk, Senate.
"MACK EASLEY,
"Speaker, House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives.

"Approved by me this 3d day of March, 1959.

"JOHN BURROUGHS,
"Governor, State of New Mexico."

A joint resolution of the Legislature of the State of New Mexico; to the Committee on Interstate and Foreign Commerce:

"SENATE JOINT MEMORIAL 9

"Joint memorial memorializing the President and the Congress of the United States to further the examination and revision of the powers of the Federal Power Commission which are erroneously purported to authorize agency regulation of the wellhead and delivered prices of natural gas

"Whereas the natural gas industry now supplies nearly one-quarter of the Nation's energy requirements; and

"Whereas the ability of the industry to find and develop the reserves necessary to sustain this rate of beneficial and economic use is hampered by arbitrary and discriminatory regulatory practices which attempt to treat the industry as a public utility; and

"Whereas the great variety of conditions of geology, complex problems of gas recovery and processing, and extreme variations in extent and accessibility of markets impose an impossible burden of factfinding, adjudication, and price setting upon an agency which is ill-equipped for and which was never established to cope with such a complex task; and

"Whereas New Mexico ranks third among the States in its reserves of natural gas; and

"Whereas unwise and unwarranted pricing policies inhibit discovery and development of new reserves: Now, therefore, be it

"Resolved by the Legislature of the State of New Mexico, That the President of the United States, the Presiding Officers of the Congress, the chairman of the Committee of Interior and Insular Affairs of the Senate, and the chairman of the Interior and Insular Affairs Committee of the House of Representatives be respectfully urged and petitioned to further the revision of the natural gas regulatory policies and powers of the Federal Power Commission; and be it further

"Resolved, That copies of this joint memorial be delivered to the Honorable Dwight D. Eisenhower, President of the United States; the Honorable Richard M. Nixon, President of the Senate; the Honorable Sam Rayburn, Speaker of the House of Representatives; the Honorable Wayne N. Aspinall, chairman of the Interior and Insular Affairs Committee of the House of Representatives; the Honorable James E. Murray, chairman of the Interior and Insular Affairs Committee of the U.S. Senate; and the New Mexico congressional delegation.

"ED V. MEAD,
"President, Senate.
"HAL THORNBERRY,
"Chief Clerk, Senate.
"MACK EASLEY,
"Speaker, House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives.

"Approved by me this 4th day of March 1959.

"JOHN BURROUGHS,
"Governor, State of New Mexico."

(The PRESIDENT pro tempore laid before the Senate a joint resolution of the Legislature of the State of New Mexico, identical with the foregoing, which was referred to the Committee on Interstate and Foreign Commerce.)

A resolution of the House of Representatives of the State of New Mexico; to the Committee on Agriculture and Forestry:

"HOUSE MEMORIAL 10

"Memorial memorializing against discrimination in price supports in similar farm commodities by the Secretary of Agriculture of the United States

"Whereas grain sorghums and corn are similar, and have substantially the same feed value; and

"Whereas some areas of the United States are suited to agricultural production of grain sorghums, and other areas of the United States are suited to the agricultural production of corn, any discrimination in the price supports between the two is a discrimination between different areas of the United States; and

"Whereas there is a prejudicial discrimination in the price supports for grain sorghums in that the supports are even below the cost of production; and

"Whereas the area of the United States defined as the high plains, which includes the State of New Mexico, has been unreasonably and unjustly discriminated against by the unrealistic support price of grain sorghum; and

"Whereas the area of the United States defined as the Midwest has been preferred by the relatively high price support for agricultural production of corn; and

"Whereas the State of New Mexico has been especially damaged by this unfair and unjust administrative determination of price supports; and

"Whereas the State of New Mexico should be preferred rather than prejudiced if any

discrimination should exist in view of the fact that the agricultural producers of this State are otherwise greatly handicapped by lack of water, proximity to markets, and lack of cheap agricultural labor available generally throughout the Midwest; and

"Whereas the Congress of the United States never intended that price supports be provided on such an unequitable, unjust and discriminatory basis: now, therefore, be it

"Resolved by the House of Representatives of the State of New Mexico, That the New Mexico delegation to the Congress of the United States is memorialized to implore the Secretary of Agriculture to correct administratively the discrimination against the high plains area of the United States with respect to the nominal price supports applied to agricultural production of grain sorghums in relation to preference given the midwestern area in the relatively high price supports applied to agricultural production of corn; be it further

"Resolved, That in the event that the Secretary of Agriculture declines to correct such inequities administratively, the New Mexico delegation to the Congress of the United States is memorialized to introduce appropriate legislation to insure against such prejudicial and preferential price supports and exert maximum effort for its passage; be it further

"Resolved, That copies of this memorial be transmitted to the President of the United States, the President of the U.S. Senate, the Speaker of the House of Representatives of the United States, the Secretary of Agriculture, and the members of the New Mexico delegation to the Congress of the United States.

"MACK EASLEY,
"House of Representatives.
"ALBERT ROMERO,
"Chief Clerk, House of Representatives."

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. WILLIAMS of Delaware (for himself, Mr. BRIDGES, Mr. ALLOTT, Mr. MANSFIELD, and Mr. DWORSHAK):

S. 1383. A bill to require the use of competitive bidding to the greatest practicable extent in the procurement of property and services by the Armed Forces through the establishment by the Secretary of Defense of specific standards governing the use of negotiated contracts for such procurement, and for other purposes; to the Committee on Armed Services.

(See the remarks of Mr. WILLIAMS of Delaware when he introduced the above bill, which appear under a separate heading.)

By Mr. McCLELLAN:

S. 1384. A bill amending the provisions of the National Labor Relations Act and the Labor Management Relations Act, 1947, relating to secondary boycotts;

S. 1385. A bill to prohibit the inclusion of hot cargo provisions in collective bargaining contracts;

S. 1386. A bill to amend the National Labor Relations Act so as to permit the exercise by the States of jurisdiction over labor disputes to which such act applies but over which the National Labor Relations Board does not exercise jurisdiction; and

S. 1387. A bill to amend the National Labor Relations Act so as to prohibit certain types of picketing; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. McCLELLAN when he introduced the above bills, which appear under a separate heading.)

By Mr. MURRAY (for himself, Mr. BIBLE, Mr. CANNON, Mr. CHURCH, Mr. McGEE, Mr. MANSFIELD, Mr. MORSE, Mr. MOSS, Mr. NEUBERGER, and Mr. O'MAHONEY):

S. 1388. A bill to provide for the establishment by the Secretary of the Interior of a Pacific Northwest Account, and for other purposes; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. MURRAY when he introduced the above bill, which appear under a separate heading.)

By Mr. O'MAHONEY (for himself and Mr. WILEY):

S. 1389. A bill to establish the Patent Office as an independent agency in the executive branch of the Government, and for other purposes; to the Committee on the Judiciary.

By Mr. MAGNUSON (by request):

S. 1390. A bill to repeal and amend certain statutes fixing or prohibiting the collection of fees for certain services under the navigation and vessel inspection laws; and

S. 1391. A bill to clarify a provision in the Black Bass Act relating to the interstate transportation of fish, and for other purposes; to the Committee on Interstate and Foreign Commerce.

(See the remarks of Mr. MAGNUSON when he introduced the above bills, which appear under separate headings.)

By Mr. HUMPHREY:

S. 1392. A bill for the relief of Isabel M. Menz; to the Committee on the Judiciary.

By Mr. KEATING:

S. 1393. A bill to amend the Internal Revenue Code so that the taxes imposed under the Federal old-age and survivors insurance system will not be imposed on account of service performed by individuals who have attained the age of 65; to the Committee on Finance.

(See the remarks of Mr. KEATING when he introduced the above bill, which appear under a separate heading.)

By Mr. NEUBERGER (for himself, Mr. BENNETT, and Mr. MOSS):

S. 1394. A bill to provide grants to the States to assist them in informing and educating children in schools with respect to the harmful effects of tobacco, alcohol, and other potentially deleterious consumables; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. NEUBERGER when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY (for himself, Mr. McCARTHY, Mr. MAGNUSON, Mr. YARBOROUGH, Mr. JACKSON, Mr. NEUBERGER, Mr. MORSE, Mr. SYMINGTON, Mr. PROXMIRE, Mr. CURTIS, Mr. MOSS, Mr. BEALL, Mr. FULBRIGHT, and Mr. WILEY):

S. 1395. A bill to enable producers to provide a supply of turkeys adequate to meet the needs of consumers, to maintain orderly marketing conditions, and to promote and expand the consumption of turkeys and turkey products; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. HUMPHREY when he introduced the above bill, which appear under a separate heading.)

By Mr. DOUGLAS:

S. 1396. A bill for the relief of Ante Tonic (Tunic), his wife, Elizabeth Tunic, and their two minor children, Ante Tunic, Jr., and Joseph Tunic; to the Committee on the Judiciary.

By Mr. DODD:

S. 1397. A bill for the relief of Francisco Adelbert Siapa and his wife, Michelina Siapa; to the Committee on the Judiciary.

By Mr. CLARK:

S. 1398. A bill to provide that the Administrator of General Services shall preserve works of art owned by the United States, restore such works of art which have deteriorated or become damaged, provide high standards of architectural design and decoration for Federal public buildings, and for other purposes; to the Committee on Rules and Administration.

(See the remarks of Mr. CLARK when he introduced the above bill, which appear under a separate heading.)

COMPETITIVE BIDDING IN PROCUREMENT OF PROPERTY AND SERVICES BY ARMED FORCES

Mr. WILLIAMS of Delaware. Mr. President, I introduce, for appropriate reference, a bill which, if enacted, would unquestionably save millions of dollars annually for the American taxpayers without in any way jeopardizing either our national defense or any domestic program.

This bill merely makes it mandatory that in making its purchases either for national defense or for civilian purposes the Federal Government should exercise the same degree of good business practices that would be followed by any well-managed operation.

The bill provides that in making such purchases the Federal Government shall advertise for bids and award the contracts for the procurement of all types of goods and services on a strictly competitive bid basis. It provides that the contract must automatically be awarded to the lowest responsible bidder with exceptions being made only in those instances wherein the advertisement for public bids would not be feasible from a national security standpoint.

In recent months the Comptroller General has called to the attention of the Congress numerous instances in which millions are being wasted by the Defense Department, as well as by other agencies, because contracts were awarded on a negotiated rather than a competitive bid basis.

In many instances the Federal agencies, even after advertising and receiving competitive bids, do not always award the contracts to the lowest responsible bidder. There can be no justification for such waste of the taxpayers' money. This bill would prohibit such practices.

In January 1959 the Comptroller General submitted to the Congress a glaring example of the waste of the taxpayers' money under the negotiated contract system. I quote from the Comptroller General's report of January 20, 1959:

> In establishing a firm price for the airplanes produced under contract NOas 53–204, Navy contracting officials utilized, without adequate evaluation or verification, cost data which included duplicate costs and costs not applicable to the contract. The contractor has incurred costs of about $6 million less than the amount contemplated in establishing the price, of which $2,596,900 could have been recognized by Navy contracting officials by an adequate review of cost data available at the time the price was established. As a result of our bringing this finding to the attention of agency officials, the contractor offered a price reduction of $3 million but this offer had not been accepted by the Navy as of December 1, 1958. Also, the Navy has informed us that action has been taken to emphasize to its contracting and auditing personnel the need for proper evaluation of cost data.

Our review of the contractor's records disclosed that the recorded and projected airplane costs used by the agency included amounts of about $3,463,500 for engineering and tooling labor and overhead, contractor-furnished equipment, and production materials which were applicable to separately priced portions of this contract or to other contracts. For example, the cost used as a basis for negotiating the price of airplanes under this contract included costs of about $988,600 for material and about $120,200 for engineering, labor, and overhead for modifying the airplanes. However, these costs were also included in the price negotiated separately for this modification under change F to the contract and, in effect, represent duplicate charges for these items.

The Comptroller General's comments quoted were made in connection with negotiations by the Navy with McDonnell Aircraft Corp., St. Louis, Mo. More complete details of the transaction may be found in his report of that date.

This bill makes it mandatory that procurement be on a competitive bid basis in all instances where such bidding practices are feasible. It does give to the Secretary of Defense discretionary authority to negotiate contracts in those instances where to announce for competitive bids and give a description of the article required would not be in the best interests of our security and national defense.

Likewise, it gives the Government the right to negotiate contracts when entering new fields of procurement wherein bona fide competitive bidding would not be feasible, such as in the development of new types of weapons. Any excessive profits resulting from such negotiated bids could be taken care of through the Renegotiation Act and under a recapture clause included in the contracts.

On many previous occasions during the past 10 years I have introduced a similar measure, and attempted to have this requirement included as a restriction on appropriation bills; however, while the measure passed the Senate each time, it was rejected in conference. I strongly urge that the Congress adopt this proposal and give the American taxpayers a break.

I ask unanimous consent that at this point the bill, together with an analysis of the bill, as prepared by Mr. John C. Herberg, legislative counsel, be printed as a part of my remarks.

There being no objection, the bill and analysis were ordered to be printed in the RECORD, as follows:

S. 1383

A bill to require the use of competitive bidding to the greatest practicable extent in the procurement of property and services by the Armed Forces through the establishment by the Secretary of Defense of specific standards governing the use of negotiated contracts for such procurement and for other purposes.

That (a) that portion of section 2304(a), chapter 137, title 10, United States Code, which precedes numbered clause (2) thereof is amended to read as follows:

"(a) Purchases of and contracts for property or services covered by this chapter shall be made by formal advertising. However, the head of an agency may negotiate such a purchase or contract if he determines, in conformity with regulations which the Secretary of Defense shall prescribe, that—

"(1) such action is necessary in the public interest during a national emergency declared by the Congress or the President;".

(b) Numbered clause (11) of such subsection is amended by striking out the words "that he determines to be", and inserting in lieu thereof the word "required".

(c) Numbered clause (12) of such subsection is amended by striking out the words "he determines".

(d) Numbered clause (13) of such subsection is amended by striking out the words "equipment that he determines to be".

(e) Numbered clause (14) of such subsection is amended to read as follows:

"(14) the purchase or contract is for technical or special property the production of which will require a substantial initial capital investment or an extended period of preparation for manufacture, and that formal advertising and competitive bidding for the procurement of such property would require duplication of investment or preparation already made, or would unduly delay the procurement of that property;".

(f) Numbered clause (15) of such subsection is amended by striking out the words "he determines that the".

(g) Numbered clause (16) of such subsection is amended by striking out the words "he determines that".

(h) Numbered clause (17) of such subsection is amended to read as follows:

"(17) negotiation of the purchase or contract is expressly authorized by another provision of law.".

SEC. 2. (a) Subsection (b) of section 2304, chapter 137, title 10, United States Code, is amended to read as follows:

"(b)(1) Regulations promulgated by the Secretary of Defense under subsection (a) of this section shall contain a detailed statement of the standards by which the applicability of each of the exceptions contained in clauses (1)–(17) of such subsection shall be determined. Such regulations shall (A) provide for uniform practices by all Armed Forces in the application of the provisions of such subsection, and (B) make effective provision for the use of competitive bidding in the procurement of property and services to the maximum practicable extent consistent with the policy declared by section 2301 of this chapter. The Secretary of Defense shall transmit promptly to the Committees on Armed Services, Appropriations, and Government Operations of the Senate and of the House of Representatives copies of all regulations promulgated under such subsection and all amendments and revisions of such regulations.

"(2) The data respecting the negotiation of each purchase or contract under clauses (1)–(2) and (7)–(17) of subsection (a) shall be kept by the contracting agency for six years after the date of final payment on the contract.

"(3) Whenever the head of an agency determines that any purchase or contract may be negotiated pursuant to clause (10) or clause (15) of subsection (a), he shall transmit promptly to the Attorney General in writing a full and complete statement of the facts and circumstances upon which such determination was made. Upon receipt of any such statement, the Attorney General shall take such action as he shall consider appropriate to determine whether any violation of law was responsible for or contributed to the inability of the armed force concerned to obtain competition for such purchase or contract. The Attorney General shall transmit to the Congress annually a report containing a full and complete statement of the results of all investigations conducted by him during the preceding year pursuant to this paragraph, and such recommendations for additional legislation as he may deem appropriate to prevent the impairment of procurement activities of the Armed Forces by unlawful restraints and monopolies."

(b) The first sentence of subsection (e) of such subsection is amended to read as follows: "A report shall be made to the Congress, on May 19 and November 19 of each year, of the purchases and contracts made by negotiation under clauses (1), (2), (10), (11), (15), and (16) of subsection (a) during the period since the date of the last report.".

SEC. 3. The amendments made by this Act shall take effect on the first day of the fourth month beginning after the date of enactment of this Act.

MEMORANDUM FOR SENATOR WILLIAMS OF DELAWARE

Pursuant to your request, there is transmitted a draft of a bill to amend section 2304 of title 10 of the United States Code to require more effectively the use of competitive bidding to the greatest practicable extent in the procurement of property and services by the Armed Forces.

The objectives sought to be accomplished by the attached draft are the following:

(1) To require each agency head, in invoking specific exceptions contained in section 2304(a) authorizing the use of negotiated contracts, to make his determinations in conformity with standards which the Secretary of Defense would be required to establish by regulations. This approach to the problem has been suggested by the provisions of section 2387 of title 10, United States Code, as added thereto by paragraph (45) of the first section of the act of September 2, 1958 (Public Law 85–861, 85th Congress).

(2) To require the Secretary of Defense, in promulgating those standards, to (A) provide for uniform practices to be followed by all Armed Forces in the making of contracts by negotiation, and (B) make effective provision for the use of competitive bidding in the procurement of property and services to the maximum practicable extent consistent with the policy declared by section 2301 of title 10, which declares that "a fair proportion of the purchases and contracts made under this chapter" shall be "placed with small business concerns".

(3) To require agency heads, in each instance in which a contract is negotiated under clause (10) or clause (15) of section 2304(a) on the ground that effective competition cannot be procured, to report the facts and circumstances justifying such action to the Attorney General, who would be required (A) to determine whether any violation of law has contributed to such failure to obtain competition, and (B) make an annual report to the Congress concerning the results of such investigations and recommending any proposed legislation he may consider advisable to prevent the impairment of procurement activities of the Armed Forces by unlawful restraints and monopolies.

(4) To require agency heads to keep for 6 years records concerning contracts negotiated under clause (2) of section 2304(a), in addition to records required by present law to be preserved for that period as to contracts negotiated under other specified clauses of that subsection.

(5) To require agency heads, in making semiannual reports to the Congress with respect to certain categories of negotiated contracts, to include in addition thereto similar reports with respect to negotiated contracts made under additional clauses (1), (2), (10), and (15), of subsection 2304(a).

(6) To make clauses (14) and (17) of section 2304(a) somewhat more restricted in scope.

(7) To defer the effective date of the amendments made by the bill to provide a period of not less than 3 months within which the Secretary of Defense may make necessary studies for the purpose of formulating the regulations which he would be required to promulgate.

Respectfully,

(s) John C. Herberg
JOHN C. HERBERG,
Senior Counsel.

JANUARY 16, 1959

Mr. JAVITS. Mr. President, will the Senator from Delaware yield very briefly?

Mr. WILLIAMS of Delaware. I yield to the Senator from New York.

Mr. JAVITS. The New York congressional delegation has been considering legislation of this character. I wonder whether the Senator from Delaware, therefore, would be kind enough to have his bill lie on the desk for a few days so we can study it. The New York delegation has been engaged in drawing up a draft of legislation on the same subject. As a matter of fact, it has a draft. The New York delegation in the House is very considerable in size, consisting of 43 Members. If the Senator will allow the bill to lie on the desk for a few days he may find he has some considerable support.

Mr. WILLIAMS of Delaware. I am delighted to do so and will certainly welcome the Senator's support.

Mr. President, I ask that the bill lie on the desk for a few days to permit other Senators to cosponsor the bill. Much interest has been expressed in this type of legislation. We all recognize the need, not only from the standpoint of economy, but also from the standpoint of good business practice. We should insist on competitive bidding in all instances in which it is possible. That is certainly a sound business practice which should be adopted, and one of which we all approve.

I am confident that if we enact this bill into law it will save millions of dollars for the taxpayers.

It will prevent possible collusion between contract officers and the sellers.

It will give us more defense for our tax dollars.

The PRESIDING OFFICER (Mr. SPARKMAN in the chair). May the Chair suggest to the Senator from Delaware that he designate the number of days he wishes to have the bill lie on the desk?

Mr. WILLIAMS of Delaware. I ask that the bill lie on the desk until the close of business next Wednesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. BRIDGES. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from New Hampshire.

Mr. BRIDGES. I wish to associate myself with the distinguished Senator from Delaware on this matter. He has hit a key point, when we are trying to make our defense dollars and our other dollars stretch as far as possible.

I ask unanimous consent that I may be associated as a cosponsor of the bill.

Mr. WILLIAMS of Delaware. I am glad to have the support of the Senator from New Hampshire.

The PRESIDING OFFICER. The name of the Senator from New Hampshire will be added as a cosponsor.

Several Senators addressed the Chair.

Mr. MANSFIELD. Mr. President, are we still in the morning hour?

The PRESIDING OFFICER. The Chair wishes to announce that the time of the Senator from Delaware under the limitation of the morning hour has expired.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that I may have 1 additional minute, so that I may yield to the Senator from Colorado [Mr. ALLOTT].

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. ALLOTT. Mr. President I should like to associate myself with the remarks of the Senator from Delaware. I think in all the Government's business dealings there is probably nothing more important than that there should be competitive public bidding on any kind of business the Government does, and that negotiated contracts should never be resorted to unless there is no other possible way to let contracts.

I ask that my name be added as a cosponsor of the bill of the Senator from Delaware. I very much appreciate this opportunity.

Mr. WILLIAMS of Delaware. I welcome the support of the Senator from Colorado.

The PRESIDING OFFICER. Did the Senator from Delaware request that the bill lie on the desk so that the names of cosponsors may be added to it?

Mr. WILLIAMS of Delaware. That was my request, that the bill may lie on the desk so the names of any cosponsors may be added to the bill at any time before the close of business next Wednesday.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. LONG. Mr. President, I ask unanimous consent that the Senator from Delaware may be yielded 1 additional minute, so that I may ask him a question.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

Mr. LONG. I wonder if the Senator from Delaware has considered the growing practice of asking for bids in a great number of alternative ways. It occurs to me that when an agency asks for a bid with several different alternatives, no one can really tell which is the low bid, because one contractor may have made a low bid on one alternative, and another contractor may have made a low bid on another alternative. There may be four or five other possible alternatives, so that it is impossible to tell just who has made the low bid when the bids are entered. I wonder if it would be possible to have an amendment or a provision to cover such possibilities?

Mr. WILLIAMS of Delaware. That problem was discussed with the legislative counsel. To the best of our ability we have drafted a bill with language to accomplish that. When the bill goes to the appropriate committee, the matter will be studied further, and as I said before, if it is found that the language needs a slight change to cover that situation, it can be changed. I think the firm principle is what we are trying to establish. The principle we are trying to establish is that the Government to the fullest extent possible and practical must always award contracts on such a basis that they shall go to the lowest responsible bidder.

Mr. LONG. One of the things which occurs to me is that there have been instances as I have noticed, when a person making the low bid might not be a responsible bidder. This person might be simply trying to broker out a contract, if he can get it. If the bid is let in a number of alternatives, it is always possible for the man who is not responsible, who managed to get the bid and who planned to broker it out to make a profit, if he finds he cannot make a profit, to get loose from the contract by going into court and asking to be freed from his bond responsibility by showing that he did not actually have the low bid to begin with. With several alternatives one cannot say that any particular alternate was the low bid and that the service has a right to hold the man to the bid.

Mr. WILLIAMS of Delaware. In drafting the bill we recognized all these problems and have tried to get a bill that protects the taxpayers, and we do this by establishing sound business practices in Government. We want a dollar's worth of defense for every dollar spent. The bill, however, applies to all procurement, as well as defense.

Mr. JOHNSTON of South Carolina. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. JOHNSTON of South Carolina. Mr. President, I commend the Senator from Delaware for his activity in this particular field. I also invite the attention of the Senate to several things we sell very often. Some things are sold for as much as $100,000, such as the war assets belonging to Germany and Japan. I think things in that field also should be handled on a competitive-bid basis.

I believe the Senator from Delaware and the minority leader, who know about those items, and who know what has sometimes gone on, will agree with me that it would be much better, and the people would look upon the procedure in a much better light, if we would sell those things under competitive bids.

Mr. DIRKSEN. I quite concur in that sentiment.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1383) to require the use of competitive bidding to the greatest practicable extent in the procurement of property and services by the Armed Forces through the establishment by the Secretary of Defense of specific standards governing the use of negotiated contracts for such procurement, and for other purposes, introduced by Mr. WIL-

LIAMS of Delaware (for himself, Mr. BRIDGES, Mr. ALLOTT, Mr. MANSFIELD, and Mr. DWORSHAK), was received, read twice by its title, and referred to the Committee on Armed Services.

Mr. DWORSHAK subsequently said:

Mr. President, I am very happy to join with the distinguished senior Senator from Delaware [Mr. WILLIAMS] in sponsoring the bill which provides that the Federal Government shall advertise for bids and award contracts for the procurement of all types of goods and services on a strictly competitive bid basis. The bill is of vital significance primarily because most of the procurement of the Federal Government is made by the Department of Defense of materiel, missiles, planes, and other items which are so essential for national survival.

When the Senator from Delaware made some remarks earlier, he referred to a report which was submitted recently by the Comptroller General in reference to a negotiated contract between the Department of the Navy and the McDonnell Aircraft Corp., of St. Louis, Mo. I call attention to an article entitled "McDonnell Aircraft Gets $61.8 Million Contract for New F–4–H–1 Planes," published in the Wall Street Journal of March 10, 1959. After hearing the Senator from Delaware urge the favorable consideration of his bill, and after having read the article to which I have just referred, I naturally made inquiry of the Department of the Navy to identify this particular contract with the McDonnell Aircraft Corp., and to ascertain whether it was made on a negotiated basis or upon a competitive basis. I was informed that it is difficult to place such awards or contracts in a specific category because, by the nature of the award of such special defense contracts, it is necessary sometimes to deal with a few companies which have the capabilities for developing the particular planes which are sought.

However, it seems to me, in view of the difficulties encountered by the Navy Department during the past year or two, difficulties which have been called to our attention by the Comptroller General, that the Navy should be extremely cautious in awarding negotiated contracts to firms which have indicated a reluctance to deal with the Government on a proper basis.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. DWORSHAK. I yield.

Mr. WILLIAMS of Delaware. The Comptroller General, in his report which was submitted to Congress on January 20, of this year, and in which he commented on the earlier negotiated contract with the McDonnell Aircraft Corp., pointed out that information was available to the negotiating officers at the time they negotiated the contract which could have enabled them, had they wished, to save several million dollars. All such information was available.

After the Comptroller General had pointed this out, the company itself voluntarily offered to refund $3 million, which it recognized as being an overcharge on one particular item. I incorporated a part of this statement in my remarks earlier, but I should like to read a sentence now from the report of the Comptroller General commenting on this particular case:

> We found also that the contractor's claim for termination inventory was overstated, that rent and insurance on Government-owned facilities caused unnecessary cost to the Government, and that the contractor's inventory records were not reliable.

Because numerous instances such as this have been called to our attention, instances of contracts having been negotiated on a rather loose and careless basis, it seems to me that the time is long past due when some business methods should be practiced by the Government. The bill proposes to make it mandatory, in every instance where it would be possible, that contracts be awarded only on a competitive-bid basis, and also awarded to the lowest responsible bidder.

We know there are instances when, in arranging to build a new weapon or a new plane, a certain amount of negotiation has to be done, and that it would not be economical, possibly, to have competitive bids. But the field has been left wide open. Today a large percentage of the Government's business is being awarded on a negotiated basis. Numerous instances of this practice have been called to the attention of the Senate by the Comptroller General and others. I have cited some of them to the Senate during the past several years. Contracts in many instances are being awarded not to the lowest bidders, but to the highest bidders, when lower responsible bids were on the desk at the same time.

I am glad to support the Senator from Idaho, because I think this is one bill which, if enacted, will insure that the American people will receive a dollar in value for every dollar spent.

Mr. DWORSHAK. It is noteworthy that another newspaper dispatch has stated that 85 percent of the more than $25 billion of contracts awarded by the Department of Defense were on a negotiated basis. That indicates the imperative need at this particular time to survey our defense budget, especially when we are faced with the necessity of balancing the budget and getting the most value for our defense dollars.

PROPOSED LEGISLATION RELATING TO LABOR MANAGEMENT RELATIONS

Mr. McCLELLAN. Mr. President, on February 19, when I introduced my labor reform bill, S. 1137, I announced that it did not include any Taft-Hartley amendments whatsoever, but that I intended in a series of subsequent bills to provide remedial legislation in certain specific areas that would require amendment to the Taft-Hartley Act. These problem areas are secondary boycotts, hot cargo clauses, recognitional and organizational picketing, and the jurisdictional no man's land in which the National Labor Relations Board will not, and in which State courts and agencies cannot, exercise jurisdiction. The problems in these areas require legislative action, just as do the problems of internal democracy and abuses of trust by union officials.

I am, therefore, introducing today, Mr. President, four separate bills dealing with the subject matters to which I have referred for appropriate reference. I respectfully request that these bills be numbered consecutively.

The PRESIDING OFFICER. The bills will be received and appropriately referred; and, without objection, the bills will be numbered consecutively.

The bills, introduced by Mr. McCLELLAN, were received, read twice by their titles, and referred to the Committee on Labor and Public Welfare, as follows:

> S. 1384. A bill amending the provisions of the National Labor Relations Act and the Labor Management Relations Act, 1947, relating to secondary boycotts;
>
> S. 1385. A bill to prohibit the inclusion of hot cargo provisions in collective bargaining contracts;
>
> S. 1386. A bill to amend the National Labor Relations Act so as to permit the exercise by the States of jurisdiction over labor disputes to which such act applies but over which the National Labor Relations Board does not exercise jurisdiction; and
>
> S. 1387. A bill to amend the National Labor Relations Act so as to prohibit certain types of picketing.

1. SECONDARY BOYCOTTS

Mr. McCLELLAN. Mr. President, existing laws are inadequate to protect innocent parties from secondary boycott abuses. This bill would amend section 8(b)(4) of the Taft-Hartley Act to prohibit certain types of coercion of the employer and, particularly, to prevent coercion by picketing at the premises of a secondary employer in order to prevent customers from doing business with the employer primarily involved in a labor dispute. Such practices are unjust and impose suffering and hardship on innocent parties who are helpless to protect themselves.

This bill, however, provides an exception in the case of so-called farmed-out work, in which, for example, a manufacturer who is not otherwise involved in a labor dispute voluntarily allies himself with a struck manufacturer by performing the work that the latter is prevented from performing because of the labor dispute. In such a case, the second manufacturer may not be regarded as an involuntary, unwilling, and innocent party, since he has elected to thrust himself into the dispute between the union and the first manufacturer.

2. HOT CARGO CLAUSE

Closely related to the secondary boycott bill is one that would make unlawful a contract whereby an employer agrees in advance that he will not require his employees to handle goods or provide other services for the benefit of an employer who is involved in a labor dispute.

The Supreme Court held only last year that a union cannot invoke such a clause as a defense to an unfair labor practice complaint against the union under section 8(b)(4)(A) of the Taft-Hartley Act. However, the Court explicitly left open the question of whether such a clause might have other ramifications in labor-management relations.

Various law-review commentators have since suggested that such a clause

might still be effective to permit an action for damages or specific performance against an employer who orders his employees to perform such services, or that it might protect an employee from being discharged for refusal to carry out such orders. Also to be considered is the possible nonlegal effect of such a clause as a gentlemen's agreement providing moral suasion against an employer.

To remove any such doubts, and to insure that no hot-cargo clause shall be used as justification for, or in aid of, a secondary boycott, this bill outlaws hot-cargo clauses and provides a penalty against entering into them.

3. ORGANIZATIONAL AND RECOGNITIONAL PICKETING

The third bill, Mr. President, would further amend section 8(b) of the Taft-Hartley Act by making it an unfair labor practice for a union to picket or threaten to picket the premises of an employer in order to induce the employees to join the union, or to compel the employer to recognize the union, until a majority of the employees either in a National Labor Relations Board election, or by a petition to the employer, have designated the union as their bargaining representative.

In addition, this bill would provide criminal sanctions against blackmail picketing, which is carried on not for the benefit of the employees but for the personal profit of labor racketeers.

4. "NO-MAN'S LAND" BILL

Mr. President, one of the most perplexing problems in the field of labor-management relations has been the jurisdictional "no man's land" in which the NLRB does not choose to exercise its jurisdiction because the effect of the dispute on interstate commerce is inadequate to warrant the Board's consideration, or in which the NLRB is precluded from asserting jurisdiction because of the failure of the union to comply with disclosure provisions of section 9 of the Taft-Hartley Act. In such cases, under present law, no State court or agency could assert jurisdiction, thereby leaving the parties to such a dispute with no civil remedy whatsoever.

Several proposals have been suggested to remedy this absurd and unhealthy situation. The administration bill would permit the Board to decline to assert jurisdiction in such cases, and would allow a State court or agency to act in any case where jurisdiction has been declined.

The administration bill, however, would leave States powerless to act in cases in which the Board cannot exercise jurisdiction because of union or employer failure to comply with reporting requirements. In addition, under this provision the Board is not compelled to decline jurisdiction until a particular dispute is actually brought before it, which could result in unnecessary uncertainty, delay, and expense to the parties involved.

The Kennedy-Ervin bill would require the Board to act in all cases within its jurisdiction, but empowers the Board to cede jurisdiction to a State agency where the State law is not inconsistent with Federal law. This provision would eliminate the jurisdictional hiatus but would preclude State jurisdiction—regardless of what may be insignificant impact of the dispute on interstate commerce—in any case in which the Board does not choose to exercise its power to cede jurisdiction. In addition, this provision would preclude State jurisdiction—regardless of what may be insignificant impact of the dispute on interstate commerce—in any case in which the Board would remain powerless to cede jurisdiction because State labor relations are within the jurisdiction of State courts rather than a State agency. Further, this provision would preclude State jurisdiction—regardless of what may be insignificant impact of the dispute on interstate commerce—in any case in which the Board is denied power to cede jurisdiction because State law is "inconsistent" with Federal law—whatever that might mean. Inevitably, even in those instances in which the Board does choose to cede jurisdiction, there will surely develop extensive wrangling and undesirable litigation over technical questions of whether and to what extent State labor law is in fact consistent with Federal law.

The bill that I am now introducing on this subject, Mr. President, would compel the NLRB to establish and publish regulations clearly indicating the area of labor disputes that do not have sufficient effect on interstate commerce to warrant the exercise of its jurisdiction. It is immaterial in such a case whether there is a conflict with Federal law, since, by definition, these cases will have only minimal impact, if any, on interstate commerce. In any such case, or in any case in which Board jurisdiction is foreclosed because of failure of unions to comply with reporting requirements, this bill would permit an appropriate State court or agency to assert jurisdiction and settle the dispute.

This bill also provides for clarification by the Board of any ambiguous provision, on petition by interested parties, and provides further that if the Board should fail to render such a determination within 30 days after filing the petition, that it shall be presumed that the Board has declined jurisdiction.

This bill, therefore, would eliminate once and for all the jurisdictional hiatus with a minimum of confusion and litigation, by drawing a clear line between those cases which would substantially affect interstate commerce, and those which should properly be disposed of by the States.

May I take this opportunity, Mr. President, to reiterate my conviction that labor reform legislation must be adopted without unnecessary delay. The evil with which we are dealing is neither weak nor static. It is a malignancy that is rapidly spreading throughout our country and becoming more powerful, more deeply entrenched, and more widespread with each passing day.

There was a time, Mr. President, when employees were subjected to the tyranny of employers who, through economic coercion, deprived them of fair compensation and decent working conditions. However, with the help of honest unionism and a developing sense of responsibility on the part of many employers, the employees have been able to free themselves from that kind of oppression and abuse.

Unhappily, what we are seeing today is the replacement of one tyranny by another. Our labor movement has been infiltrated to a shocking extent by racketeers and gangsters who would use it not for the benefit of the working people, but for their own personal enrichment. Just as the Congress has recognized the former evil in the past, and has acted to help the workingman to protect himself from the tyranny of the employer, so Congress must now act to enable the workingman to protect himself against this new tyranny within the union movement.

The first essential step in affording this protection is provided in the guarantees of minimum standards of basic rights of union members as set forth in title I of my labor reform bill, S. 1137. I have no doubt that if we will only give protection to the workers so that they may govern their unions through democratic procedures, without fear of coercion or intimidation, that they will speedily free themselves from this new tyranny to which I have referred. Honest unions and honest union leaders have nothing to fear from that bill, any more than any honest governing body has to fear from the exercise of democratic rights by those who are governed.

That, as I say, is the first essential step. The four bills that I am introducing today, Mr. President, and which I have previously discussed, are further protection for working people and for American society against abuses perpetrated by dishonest elements in the labor union movement.

With prompt adoption of these proposals, we can reaffirm the dignity of the individual, destroy the new tyranny that would enslave the working people of America, and preserve freedom and integrity in our society.

PACIFIC NORTHWEST ACCOUNT

Mr. MURRAY. Mr. President, I introduce, for appropriate reference, a bill to provide for the establishment by the Secretary of the Interior of a Pacific Northwest account, and other purposes.

Cosponsors on the bill with me are nine Members of the Senate from the Pacific Northwest States which contribute to the waters of the Columbia River. They are my distinguished colleagues as follows: Mr. BIBLE, of Nevada; Mr. CANNON, of Nevada; Mr. CHURCH, of Idaho; Mr. MCGEE, of Wyoming; Mr. MANSFIELD, of Montana; Mr. MORSE, of Oregon; Mr. Moss, of Utah; Mr. NEUBERGER, of Oregon; and Mr. O'MAHONEY, of Wyoming.

I shall not go into the details of the bill at this time, but request unanimous consent that the text of the measure be inserted in the RECORD at the conclusion of my remarks.

Reclamation interests of the Columbia River Basin States have been working for 2½ years on legislation to establish a Pacific Northwest account. They have

had the services of some of the most capable water lawyers in the West and have worked with many Northwest groups interested in the development of the area. They have consulted with the staffs of the Interior and Insular Affairs Committees of the Senate and the House of Representatives and have had conferences with many officials of the Department of the Interior and the Bureau of Reclamation. Every effort has been made to bring the people of the Columbia River Basin States together on this particular piece of legislation.

This bill makes possible the use of net power revenues from federally constructed, multiple-purpose projects in the Columbia River Basin to assist the farmers in repaying the cost of irrigation projects which are beyond the ability of those farmers to repay within 50 years.

This is not a new philosophy, as the principle has been applied by the Congress in the Missouri River Basin project, the Upper Colorado River Basin project and the Central Valley project of California.

Power has been a paying partner to aid irrigation since 1906 when Congress gave its approval to this method of financing.

Reclamation law gives the farmer 40 years to repay his obligation. All the major projects which can repay this obligation in 40 years have been built. Consequently this legislation will make possible the future reclamation development of feasible irrigation projects in the arid and semiarid areas in the Pacific Northwest.

We feel this development is vital to the economy and economic security of these States and to the Nation.

One feature of the bill is that net power revenues available to a State, under this bill, may be used outside the Columbia River Basin area provided irrigation financial aid is not available from any other basin account.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1388) to provide for the establishment by the Secretary of the Interior of a Pacific Northwest account, and for other purposes, introduced by Mr. MURRAY (for himself and other Senators), was received, read twice by its title, referred to the Committee on Interior and Insular Affairs, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That because of the interrelations of various Federal irrigation and hydroelectric projects in the Pacific Northwest, the need for assistance from net power revenues for the development of the irrigation potentials of that area, and the importance of orderly marketing of the commercial power output of said Federal hydroelectric projects, the Secretary of the Interior shall establish a Pacific Northwest account. To said account shall be credited at least once a year all revenues hereafter derived from power operations of each of the projects named or described in section 3 of this Act, and to it shall be charged at least once a year operation and maintenance costs hereafter incurred by the United States in connection with those operations and from the resulting net revenues amounts sufficient to account, as nearly as possible, for the scheduled return (1) of the capital costs of those projects which are allocated to said purpose, (2) of the irrigation capital costs assigned to those projects to be returned from net power revenues, and (3) of interest on the unamortized balances of the commercial power allocations, where and as provided by law. Net revenues derived from power operations as aforesaid shall be applied first to payment of the charges described in items (1), (2), and (3) of the preceding sentence arising in connection with the presently existing or authorized projects named or described in section 3 of this Act and thereafter to payment of charges to the account hereafter incurred pursuant to section 4, subsections (b) and (c), of this Act. The Secretary shall prepare schedules, in which the scheduled return of the presently unamortized balances of the capital allocations hereinbefore referred to shall be set forth, designed to accomplish payout of each project in accordance with the laws governing that project and may from time to time revise said schedules so far as such revision is consistent with those laws.

SEC. 2. As used in this Act—

(a) the term "Pacific Northwest" means the area within the United States comprising the Columbia River drainage basin, the drainage basin of other streams entering the Pacific Ocean between the Canadian boundary and the California-Oregon boundary, and closed basins wholly or partly within Oregon, and

(b) the term "revenues from power operations" includes, in addition to income specifically from power sales from the projects named or described in section 3 of this Act, miscellaneous receipts derived from facilities of such projects the costs of which are charged to or allocated to power, and where only a portion of such facilities are charged to or allocated to power, the term includes an appropriate share of such miscellaneous receipts.

SEC. 3. The provisions of section 1 of this Act shall apply to the Boise, Columbia Basin, Crooked River, Hungry Horse, and Palisades Federal reclamation projects; the Talent division of the Rogue River Basin Federal reclamation project; the Kennewick and Roza divisions of the Yakima Federal reclamation project; unit numbered 7 of the Minidoka project powerplant; the American Falls powerplant of the Minidoka Federal reclamation project; the Bonneville Power Administration transmission system; all presently authorized projects in the Columbia Basin for which the Secretary has power marketing authority under the Act of August 20, 1937 (50 Stat. 731), as amended and supplemented, and under section 5 of the Act of December 22, 1944 (58 Stat. 887, 890), or from which irrigation water is furnished by him under section 8 of the latter Act, including the Albeni Falls, Bonneville, Chief Joseph, Cougar, Detroit-Big Cliff, Hills Creek, Ice Harbor, John Day, Lookout Point-Dexter, McNary, and The Dalles developments which have already been constructed or are now under construction; and such other projects in the Pacific Northwest as may hereafter be designated by Act of Congress.

SEC. 4. (a) The Secretary shall report annually to the President and the Congress on the status of the Pacific Northwest account and particularly on the amounts by which the revenues described in section 1 of this Act exceed the charges therein described and the amounts by which it is anticipated such revenues will exceed such charges. Each such report shall contain a composite payout schedule for all projects then covered by the Pacific Northwest account showing, year by year, estimated future charges to the account, estimated future credits to the account, and estimated unencumbered balances in the account.

(b) Reports to the President and the Congress on the financial feasibility of any project which is hereafter proposed to be authorized for construction in the Pacific Northwest or, in the circumstances stated in section 5 of this Act, elsewhere in the States of Washington, Oregon, Idaho, Montana, Wyoming, Utah, or Nevada and which involves an allocation to irrigation shall include an estimate by the Secretary of what portion, if any, of that allocation is beyond the probable return from project operations within fifty years, exclusive of any permissible development period, and of the probable availability, without increase in then prevailing power rate schedules, of revenues sufficient to cover those costs, as shown by the reports made under subsection (a) of this section, due consideration being given to other commitments of such revenues, including charges against the account incurred or likely to be incurred by reason of variances in the cost at which power can be produced and marketed. No such project the financial feasibility of which depends on assistance from the Pacific Northwest account shall be undertaken except upon authorization by the Congress.

(c) In addition to the costs of the projects covered by section 3 of this Act which are properly chargeable to the Pacific Northwest acount, the Secretary shall schedule for return from revenues to be credited to the account those project construction cost obligations of the water users which will become due and payable fifty years after the beginning of the repayment period, exclusive of any development, water rental, moratorium or deferment periods, on the Deschutes, Owyhee, and Vale Federal reclamation projects; the Payette division of the Boise Federal reclamation project; the Talent division of the Rogue River Basin Federal reclamation project; the Hermiston and West Extension units of the Umatilla Federal reclamation project; and the Kennewick, Kittitas, and Roza divisions of the Yakima Federal reclamation project. Such construction cost obligations on any of such projects, divisions, or units shall be charged to the account only after an amendatory contract, satisfactory in form to the Secretary and to the irrigation district representing the water users of the project contract unit involved, has been entered into restating the construction charge obligation to be repaid by the water users and requiring the water users to waive all claim to any miscellaneous revenue accruing to the project division or unit under the provisions of section 4, subsections I and J, of the Act of December 5, 1924, as amended by the Act of July 1, 1946 (43 Stat. 672, 703, 60 Stat. 348, 366, 43 U.S.C. 501, 526), or of section 5 of the Act of May 16, 1930 (46 Stat. 367, 368, 43 U.S.C. 424d), after the time scheduled under such amendatory contract for completion of repayment of the restated construction charge obligations (exclusive of any extensions by reason of the operation of variable annual installments).

SEC. 5. Nothing contained in this Act shall be deemed to require or to furnish authority for modification of the power marketing arrangements heretofore set up by the Secretary; to relieve any contractor for water or power of any obligation which it has heretofore undertaken except as provided in section 4, subsection (c) of this Act; to amend or repeal any provision of law with respect to the payout of any project; to affect the laws relating to the appropriation of funds for the construction, operation, and maintenance of projects and the deposit of receipts in the Treasury; to require that any portion of amounts properly allocable to irrigation which have been declared to be nonreimbursable and nonreturnable by or pursuant to law shall be accounted for as reimbursable or returnable; to provide for or contemplate utilization of the Pacific Northwest account in connection with any project which, though it is within one or another of the States of Washington, Oregon, Idaho, Montana, Wyoming, Utah, or Nevada, is located

outside the Pacific Northwest except in cases in which irrigation assistance is not available from another similar account or fund and in which assistance from the account to such project is justified in the light of contributions to the net revenues of the Federal Pacific Northwest power system from the State in which it is located (said contributions to be determined by taking into account all significant factors, including particularly both on-site production of energy and water supply for downstream plants); or to authorize the Secrettry to establish rate levels for the sale of power after payout of any project or projects is accomplished in excess of those which he could lawfully establish during payout, due regard being had for changes in the costs of operating and maintaining such project or projects.

REPEAL AND AMENDMENT OF CERTAIN STATUTES RELATING TO COLLECTION OF FEES UNDER VESSEL INSPECTION LAWS

Mr. MAGNUSON. Mr. President, at the request of the Acting Secretary of the Treasury, I introduce, for appropriate reference, a bill to repeal and amend certain statutes fixing or prohibiting the collection of fees for certain services under the navigation and vessel inspection laws. I ask unanimous consent to have printed in the RECORD a letter from the Acting Secretary of the Treasury requesting the proposed legislation.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1390) to repeal and amend certain statutes fixing or prohibiting the collection of fees for certain services under the navigation and vessel inspection laws, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

MARCH 4, 1959.

THE PRESIDENT OF THE SENATE.

MY DEAR MR. PRESIDENT: There is transmitted herewith a proposed bill to repeal and amend certain statutes fixing or prohibiting the collection of fees for certain services under the navigation and vessel inspection laws.

The proposed legislation would repeal certain statutes prohibiting the charging or collection of fees for certain services rendered to vessel owners by the Bureau of Customs and the U.S. Coast Guard. It would further repeal fees presently fixed by statute for other services rendered by the Bureau of Customs to vessel interests and thus permit the Secretary of the Treasury, under general authority, to fix fees to be collected upon the rendering of any of these services.

The services for which a fee may or may not now be charged are more specifically set forth in a memorandum accompanying this letter.

It will be appreciated if you will lay the draft bill transmitted herewith before the Senate. A similar proposal has been transmitted to the House of Representatives.

The Department has been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress and that enactment would be in accord with the program of the President.

Very truly yours,

A. GILMORE FLUES,
Acting Secretary of the Treasury.

MEMORANDUM TO ACCOMPANY A BILL

The proposed legislation would repeal the statutory provisions against the charging and collection of fees by collectors or other officers of customs or by the U.S. Coast Guard for any of the following services:

Measurement of tonnage and certifying same; issuance of a license or granting of a certificate of registry, record, or enrollment; endorsement of change of master; certifying and receiving manifest, including master's oath and permit; granting permit to vessels licensed for the fisheries to touch and trade; payment of entry and clearance fees for vessels engaged in the foreign and coasting trade on the northern, northeastern, and northwestern frontiers; payment of clearance fees for vessels making daily trips between any port in the United States and any port in the Dominion of Canada wholly upon interior waters; granting certificate of payment of tonnage dues; recording bill of sale, mortgage, hypothecation, or conveyance, or the discharge of mortgage or hypothecation; furnishing certificate of title; furnishing a crew list; certificate of protection to seamen; bill of health; shipping or discharging of seamen as provided by title 53, Revised Statutes, sections 563 and 646 of title 46; apprenticing boys to the merchant service; inspecting, examining, and licensing steam vessels including inspection certificate and copies thereof; and licensing of master, engineer, pilot, or mate of a vessel.

In addition it would abolish certain fees which are prescribed by statute for entry and clearance of vessels, post entry, granting permits to proceed, receiving manifest, change of name of vessel, recording bills of sale, mortgages, hypothecations, or other instruments, issuing certificates of ownership and issuing abstracts of title.

The repeal or amendment of these statutes is necessary in order that the Secretary of the Treasury may in his discretion set fees under the provisions of section 501 of the act of August 31, 1951 (5 U.S.C. 140).

It is contemplated that, in those regulations, fees will be established for, but not necessarily limited to, admeasurment of vessels, registry of vessels, issuance of enrollments and licenses, or licenses, renewals of licenses, issuance of special certificates to vessels, authorization for changes of names of vessels, furnishing and recording abstracts of title of vessels, recording of evidence of title to, and encumbrances upon, vessels, and the discharge of the latter, entry and clearance of vessels, furnishing certificates of ownership of vessels, furnishing copies of documents, records, or other papers filed in offices of collectors of customs or in the Bureau of Customs, and certifying such copies.

It is also contemplated that, in addition to any fees which may be established in those regulations, there will also be prescribed therein charges for services performed by customs officers at places other than their official stations, as, for example, admeasuring or readmeasuring vessels at such places, entering or clearing vessels at points which are not ports of entry, furnishing customs supervision over vessels at such points, and the like. It is anticipated that any such charge will reimburse the Government for the compensation of the customs officer concerned while absent from his official station as well as for any expenses incurred by him in connection with any such services rendered by him.

Certain obsolete portions of section 4382 of the Revised Statutes, as amended (U.S.C., 1952 edition, title 46, section 330), section 4383 of the Revised Statutes (U.S.C., 1952 ed., title 46, sec. 333) and the act of June 19, 1886 (U.S.C., 1952 ed., title 46, sec. 331), have been included, in the comparative print although it is probable that they have been repealed by implication or at least superseded. They are the 16th, 18th, 24th, and 25th items of Revised Statute 4382; the reference to naval officer in Revised Statute 4383; and the last sentence of the act of June 19, 1886.

CLARIFICATION OF PROVISION OF BLACK BASS ACT, RELATING TO INTERSTATE TRANSPORTATION OF FISH

Mr. MAGNUSON. Mr. President, at the request of the Assistant Secretary of the Interior, I introduce, for appropriate reference, a bill to clarify a provision in the Black Bass Act relating to the interstate transportation of fish, and for other purposes. I ask unanimous consent that the letter from the Assistant Secretary of the Interior, requesting the proposed legislation, be printed in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the letter will be printed in the RECORD.

The bill (S. 1391) to clarify a provision in the Black Bass Act relating to the interstate transportation of fish, and for other purposes, introduced by Mr. MAGNUSON, by request, was received, read twice by its title, and referred to the Committee on Interstate and Foreign Commerce.

The letter presented by Mr. MAGNUSON is as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., March 6, 1959.

Hon. RICHARD M. NIXON,
President of the Senate,
Washington, D.C.

DEAR MR. PRESIDENT: Enclosed herewith is a draft of a proposed bill to clarify a provision in the Black Bass Act relating to the interstate transportation of fish, and for other purposes.

We recommend that this proposed bill be referred to the appropriate committee for consideration, and that it be enacted.

Revision of section 9 of the so-called Black Bass Act is desirable, in our opinion, to resolve a question that has arisen concerning the intent of that section. Our revision would result in the addition of language that would make it clear that only the shipment of legally taken fish is contemplated thereunder. While we believe the general intent of the act is clear, in at least one case that has come to our attention, the court has expressed the view that a strict interpretation of the section does not make such a requirement. In the circumstances, we believe that a revision of this section of the act would be desirable.

We have been advised by the Bureau of the Budget that there is no objection to the submission of this proposed legislation to the Congress.

Sincerely yours,

ROSS LEFFLER,
Assistant Secretary of the Interior.

ELIMINATION OF CERTAIN TAXES ON PERSONS OVER 65 YEARS OF AGE

Mr. KEATING. Mr. President, I introduce, for appropriate reference, a bill to amend the Internal Revenue Code so that taxes imposed under the Federal old-age and survivors insurance system will not be imposed on account of service performed by individuals who have attained the age of 65.

This bill is one of several in a program I have undertaken to benefit our rapidly growing group of senior citizens.

Social security was conceived as a self-supporting Government-run plan for old-age insurance. Therefore, it seems to me that if a man has paid social security taxes for many years, with his employer paying in a like amount, when he reaches the proper age he should receive the benefits and not be forced to continue to pay taxes. In other words, if one pays the premiums on an endowment policy, when it matures one should get the endowment without having to continue to pay the premiums.

Under our social security laws, when a man reaches 65 he is eligible for maximum benefits. If he elects to continue to work further, any payments by him do not serve to increase these benefits. As the payments he makes go directly into the general fund of the Treasury, he is actually being taxed for working. This is just plain wrong.

I ask unanimous consent that the text of this bill be printed at this point in the RECORD.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1393) to amend the Internal Revenue Code so that the taxes imposed under the Federal old-age and survivors insurance system will not be imposed on account of service performed by individuals who have attained the age of 65, introduced by Mr. KEATING, was received, read twice by its title, referred to the Committee on Finance, and ordered to be printed in the RECORD, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, effective with respect to service performed after the calendar quarter in which this Act is enacted, section 3121(b) of the Internal Revenue Code (relating to the definition of employment) is amended (1) by striking out "or" at the end of paragraph (16), (2) by striking out the period at the end of paragraph (17) and inserting in lieu thereof "; or", and (3) by adding the following new paragraph:

"(18) Service performed by an individual who has attained the age of sixty-five."

MATCHING GRANTS TO STATES FOR EDUCATIONAL PROGRAMS ON THE EFFECTS OF TOBACCO AND ALCOHOL

Mr. NEUBERGER. Mr. President, for myself and the able Senators from Utah [Mr. Moss and Mr. BENNETT], I introduce, for appropriate reference, a bill which would aid States in conducting programs to inform and educate schoolchildren regarding the effects of tobacco and alcohol on the human body. Under provisions of this proposal, Federal funds would be available on a matching basis to individual States wishing to take advantage of such grants; the program is entirely permissive.

The legislation which I am introducing today is identical to that which I introduced in the last Congress. I am pleased to announce that Congressman DAVID KING of Utah is introducing similar legislation in the other body today to aid in meeting this need.

I have been disturbed for some time over the flood of glamour advertising of tobacco and alcohol which has deluged our young people. The finest talents of Madison Avenue seem to be working at double time to prepare this cascade of advertising aimed at persuading our young people to use cigarettes and liquor. Our billboards and periodicals are saturated with this advertising. We cannot tune it out of our radio and television.

Our most prominent athletes and glamorous figures of stage and screen are featured in this advertising, which is aimed directly at our Nation's youth. How can school officials enforce no-smoking rules among their student bodies when youngsters are told at every hand that this great baseball hero and that beautiful screen star smoke such and such a brand of cigarette? Young people are highly imitative by nature. Can we not but expect them to follow the patterns which they associate with success?

By contrast, Mr. President, our U.S. Public Health Service has announced these findings:

First. Smokers' death rate from all causes is 32 percent higher than nonsmokers.

Second. For habitual smokers of cigarettes, the death rate is 58 percent higher.

Third. For very heavy smokers—two packs of cigarettes per day—the death rate is nearly twice that for nonsmokers.

Fourth. Regular cigarette smokers have about 10 times as many fatal cases of lung cancer as nonsmokers, and about a 63 percent higher death rate from coronaries.

Fifth. For very heavy cigar or pipe smokers, the death rate is about the same as for smokers of one-half to one pack of cigarettes a day.

Yet what American youngster—indeed, what parent—has heard this warning amid the tumult of advertising praise of tobacco? During the 4-year period when our leading health agency has published information and statistics such as those cited above, the consumption of cigarettes in our country has soared from 355 billion annually to some 409 billion.

Is there not some grim irony in this situation: in which one arm of our Government warns of the dangers of use of tobacco and another arm—our Agriculture Department—pays price supports to the growers of tobacco?

Does this situation follow any pattern of logical or reasonable explanation? How can we, in the sophisticated America of the TV dinner and the automotive forward look, rationalize a situation in which our Nation's youth is beseeched, constantly, to commence a habit which the Public Health Service warns may lead to one of the most dread diseases known to mankind? Is there not a crying need here for dissemination of the story of the effects of the use of these products?

Our youngsters deserve at least the background to resist the daily outpourings in behalf of cigarettes and liquors. We owe this much to the health, tranquillity, and happiness of America's next generation.

With regard to the inclusion of alcohol education in my bill, I would like to note that my own State of Oregon has, for many years, dedicated a portion of the income from its State liquor monopoly system to temperance education. When the State of Oregon took over the liquor retail business in 1933, the original authorizing act provided that some of the revenues realized should go to providing information encouraging temperance.

Mr. President, the bill I introduce speaks for itself. I ask unanimous consent that the bill be printed in the RECORD at this point, together with an article on this subject entitled "Pattern for Progress," which I wrote for the January–February 1959 issue of Listen magazine.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill and article will be printed in the RECORD.

The bill (S. 1394) to provide grants to the States to assist them in informing and educating children in schools with respect to the harmful effects of tobacco, alcohol, and other potentially deleterious consumables, introduced by Mr. NEUBERGER (for himself, Mr. BENNETT, and Mr. Moss), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

A bill to provide grants to States to assist them in informing and educating children in schools with respect to the harmful effects of tobacco, alcohol, and other potentially deleterious consumables

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

STATEMENT OF PURPOSE

SECTION 1. The purpose of this Act is to aid the States, through the making of Federal grants on a matching basis, in informing and educating children in the harmful effects of tobacco, alcohol, and other potentially deleterious consumables.

DEFINITIONS

SEC. 2. For the purposes of this Act—

(a) The term "State" means one of the forty-nine States, the District of Columbia, Hawaii, the Commonwealth of Puerto Rico, Guam, and the Virgin Islands;

(b) The term "State agency" means the State board of education or other agency or officer primarily responsible for the State supervision of elementary and secondary schools, or if there is no such agency or officer any statewide educational agency within the State designated by or under State law, or in the absence thereof by the governor, to be the single State educational agency responsible for developing and submitting a State plan under the provisions of this Act; and

(c) The term "Commissioner" means the Commissioner of Education, Department of Health, Education, and Welfare.

STATE APPLICATIONS

SEC. 3. The Commissioner shall approve any application for funds for carrying out the purpose of this Act if such application—

(a) designates the State agency for carrying out such purpose;

(b) provides a plan in accordance with the provisions of this Act and in such detail

as the Commissioner may require, for carrying out such purpose; and

(c) provides that such State agency will make such reports and in such form, and containing such information as the Commissioner may from time to time reasonably require.

STATE PLANS

SEC. 4. A State plan for carrying out the purpose of this Act shall set forth, in such detail as the Commissioner may by regulations prescribe—

(a) the number of schoolchildren in the State who it is proposed will be benefited by the provisions of this Act;

(b) the types of potentially deleterious consumables, in addition to tobacco and alcohol, with respect to which it is proposed that such children will be educated and informed;

(c) the amount of time it is proposed will be devoted to informing and educating such children with respect to such potentially deleterious consumables;

(d) an estimate of the cost which will be incurred by the State in providing such information and education; and

(e) a description of the instruction techniques proposed to be employed in imparting such education and information.

APPROVAL OF STATE PLANS

SEC. 5. (a) The Commissioner shall approve any State plan which (1) fulfills the conditions specified in section 4 and (2) is otherwise effectively designed to carry out the purpose of this Act.

(b) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State agency, finds that—

(1) the State plan submitted by such agency and approved under subsection (a) of this section has been so changed that it no longer complies with the provisions of section 4, or no longer is effectively designed to carry out the purpose of this Act; or

(2) in the administration of such plan there is a failure to comply substantially with any such provision or carry out such purpose;

the Commissioner shall withhold further payments under the provisions of this Act to the State, until he is satisfied that there is no longer any such failure to comply, or, if compliance is impossible, until the State repays or arranges for the repayment of any Federal money which has been diverted or improperly expended.

PAYMENTS TO STATES

SEC. 6. The Commissioner shall pay to each State, out of any money appropriated for the purpose of this Act and in such amounts at such time or times during each year as he shall determine, one-half of the costs incurred by such State under a plan approved under the provisions of this Act.

APPROPRIATIONS

SEC. 7. There are hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

The article presented by Mr. NEUBERGER is as follows:

PATTERN FOR PROGRESS

(By Hon. RICHARD L. NEUBERGER, U.S. Senator from the State of Oregon)

The time has come, I believe, for serious Americans to confront a number of obvious facts. One of these is the fact that despite all the wealth lavished upon the American standard of living—and we are the wealthiest country in the world in terms of consumer goods and creature comforts—the male citizens of the United States have a shorter life expectancy than those of no fewer than seven other nations. It is significant that the men of Holland, Great Britain, Norway, Sweden, New Zealand, Israel, and Denmark all live longer than their counterparts in the United States. This is true, I repeat, in spite of the fact that America has a higher per capita income and a greater consumer-purchasing power than any other nation. We have more food, we have more vitamins, we have more shelter, we have more clothing—yet a shorter life expectancy.

What are the reasons for this situation? I am not wise enough to give the final definitive answer, but I would say that among the reasons are these: First, an excessive reliance upon alcohol and tobacco to relieve the tensions of our modern competitive culture; and, second, the lack of emphasis upon physical education and individual athletic activity.

For example, I think it is a commentary on our society that between 1954 and 1958, as disclosed by the U.S. Public Health Service, smokers' death rates from all causes were 32 percent higher than those of nonsmokers. The rate for regular smokers of cigarettes was 58 percent higher than for nonsmokers. For heavy smokers—two packs or more a day—the death rate was twice that of nonsmokers. Yet despite these facts, disclosed by a Federal agency which spends millions of dollars appropriated by Congress for research in this most vital of fields, during this same period the annual consumption of cigarettes among Americans increased from 355 billion to 410 billion.

One of my approaches to this problem is from the angle of education. I have introduced legislation into Congress which would authorize Federal matching funds to any State whose schools would conduct courses telling of the adverse impact on health of the use of alcohol and cigarettes.

When I spoke early this year at Harvard Medical School, one of the greatest doctors in our country asked me, "Have you noticed that the advertising for both alcohol and tobacco is beamed to the young person?" It is evidently felt that any older person who uses such products is already hooked, that the habit is formed, and that he has been secured firmly and perhaps until death as a customer. For this reason the appeal and the glamor of such advertising are directed to the young person.

Since that doctor asked me such a question I have tried to watch the advertisements and the television appeals. I have noticed on television, for example, that cigarette advertising often shows a handsome young man driving up to a house in a fancy convertible. He honks the horn, and a good-looking girl comes out of the house, down the steps two at a time, jumps in the car beside him and puts her arm around him, and they drive off. As they do so, he lights up a cigarette for her, then she lights one for him. In this way the manufacturer makes use of the appeal of sex, the appeal of youth to youth, the appeal of athletic prowess on the part of the boy, and of glamor and beauty on the part of the girl.

In a country with freedom of the press it is extremely difficult to restrict advertising. The Federal Trade Commission has for many years tried it, with greater or less intensity, depending on the policies of the Commission at any particular time. It has not had much success, perhaps with good excuse.

For this reason I think the least we can do is to arm our young people with basic physical facts about these products so that they have a fighting chance to resist such subtle appeals. The young people of this Nation will be the citizens of the future; they will decide the destiny and fate of our country, and perhaps of all mankind.

It is a sad commentary on our civilization that during the first 5 months of 1958, which were unfortunately a time of business recession and general decline, General Motors profits were down 29 percent, Standard Oil profits down 30 percent, the profits of United States Steel down 46 percent, but at the same time the profits of the American Tobacco Co. were up 22 percent. It is significant that, at a time when the greatest industrial firms in our country were experiencing a diminution in their profits, the largest cigarette manufacturing company had a vast increase in profits.

We have 6 agricultural products described legislatively as basic, out of some 172 such major commodities. These six qualify for Federal price supports; in other words, if a person's farm has a historic acreage pattern of one of these six, he qualifies for price-support payments.

To me it has always been ludicrous that one of the six basics of American life is tobacco. The other five, if I'm not mistaken, are wheat, corn, cotton, rice, and peanuts. Thus, tobacco is one of the crops we subsidize.

We rise up in righteous wrath and indignation when we hear that Red China subsidizes the growing of poppies for opium. But I wonder what people in other countries think when they learn that the U.S. Public Health Service, an agency of the Federal Government, reports that the death rate among heavy smokers is nearly twice that for nonsmokers, and yet another agency of our Government, the Department of Agriculture, pays price supports to farmers to encourage the production of tobacco.

You know, Robert Burns, the great and talented Scotsman, once said:

"O wad some Power the giftie gie us
To see oursels as ithers see us."

The second factor I mentioned is that we Americans don't get enough exercise. We are in the habit of getting into an automobile to go two blocks, or using an elevator to go up one floor. We have almost stopped using the ordinary method by which human beings were supposed to travel over this earth before the internal combustion engine was ever invented.

I think it wouldn't hurt us at all if occasionally some Americans got a little bit of physical exercise. We are the greatest Nation for spectator sports in the entire history of the world. It is easy, for example, on a Saturday afternoon to get a hundred thousand or a hundred and twenty thousand people to watch 22 men take their exercise.

In all seriousness, I believe that one of the things we should do is to encourage physical activity and athletic prowess not only on the part of the athlete in our society, but on the part of the average person. I am strongly in favor of the President's Commission on Physical Fitness, but I am disturbed by the things that it has revealed about the lack of physical condition not only on the part of those to be inducted into our armed services, but also of the average American who is around middle age. We need a great deal more physical stamina in our country. Too much emphasis is put on the superior athlete and the great athlete, which very few of us can be, rather than on the average individual.

I get concerned, too, when I see too much emphasis on mere prowess rather than on having a good time, recreational and creative time, playing a game.

I recently read in the paper, for example, of a coach in a little baseball league, who gave his 8-, 9-, or 10-year-olds a bawling out because they didn't win their game. A person doesn't need to win every time; he doesn't need to be as fast as Roger Bannister; but just let him go out and get some exercise and have fun. I think it is important for us to inculcate that spirit in the young people of this country.

My appointment by Vice President NIXON to the National Recreational Outdoors Resources Review Commission is particularly gratifying to me, because of my profound conviction that the inspiring cathedral of the outdoors is a great deterrent to immorality and wrong indulgence.

All too few Americans appreciate from personal experience the majesty of the mountains and the sublime grandeur of a rocky seacoast, the cry of the loon at dawn and the honk of the gander at sunset. These are impressions which follow a person through life, but not enough people know them. I believe it was Thoreau who said that all the speeches ever delivered in Congress were as nothing compared with one gentle breath of the south wind. Men and women accustomed to the sky for a roof generally have a profound appreciation of the Creator of such marvels.

I am one of four Senate cosponsors of the Humphrey bill to establish a Youth Conservation Corps, which would be patterned after the CCC camps of the 1930's, by which President Roosevelt took idle youths from the slums and sent them into the national parks and national forests to do trail building and shelter construction. He saved these young men from a life of crime, drug addiction, alcoholism, and jail cells.

Today the crime rate is the highest in American history, and many of the new criminals are teenagers. I think the Youth Conservation Corps is one way to get these boys out of back alleys and into the pine woods, before they have a felony conviction on their records, a conviction which will hound them all their lives.

The sheer physical stamina and endurance required by the vast outdoors are a deterrent to indulgence in both alcohol and tobacco. Remember the famous mountain-climbing book "The White Tower" by James Ramsay Ullman? The great Swiss guide decided he had to get one of his party off the perilous peak when the man began drinking furtively, before he could plunge the entire group to disaster.

My wife, for 12 years a teacher of physical education in our public schools, has always insisted to me that a healthful and zestful appreciation of the outdoors is incompatible with excesses. Mrs. Neuberger's notion of fun is to frolic in her Oregon-made bathing suit in the spray of a waterfall nurtured by snowbanks, so I imagine she would qualify as an authority on the Spartan way of life.

Americans today probably face a sterner challenge than any generation of people in our country has faced since its founding nearly 200 years ago.

I happen to be one who believes not in prohibition, but in education. I believe there are very few people in the United States who, if they know the basic facts of the impact on health, on nervous systems, on personality, of alcohol and tobacco, will willfully go on and indulge to any degree—if indeed at all—in either of these drugs. It is important to show there is no relation whatsoever between such things and personal prestige, achievement, and distinction.

The task is not easy. I doubt if any important task is easy. However, the challenge is great, the opportunity is great, and the goal is commendable, for on its attainment rests the future of our country. In the final analysis what our country does and what it symbolizes to the world will be dependent upon the health, the vitality, and the strength of its people.

I am thoroughly convinced that anything which weakens the health and strength of Americans is a menace not only to America but to the survival of liberty upon this planet.

NATIONAL TURKEY MARKETING ACT

Mr. HUMPHREY. Mr. President, at the request of the National Turkey Federation, I introduce, for appropriate reference, a bill to enable producers to provide a supply of turkeys adequate to meet the needs of consumers, to maintain orderly marketing conditions, and to promote and expand the consumption of turkeys and turkey products. I am joined in the sponsorship of this proposal by my colleague the junior Senator from Minnesota [Mr. MCCARTHY] and by Senators MAGNUSON, YARBOROUGH, JACKSON, NEUBERGER, MORSE, SYMINGTON, PROXMIRE, CURTIS, MOSS, BEALL, FULBRIGHT, and WILEY.

I ask that this bill be held at the desk until the end of the day, Wednesday, March 18, to accept additional sponsors who may be interested.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will lie on the desk, as requested by the Senator from Minnesota.

The bill (S. 1395) to enable producers to provide a supply of turkeys adequate to meet the needs of consumers, to maintain orderly marketing conditions, and to promote and expand the consumption of turkeys and turkey products, introduced by Mr. HUMPHREY (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

Mr. HUMPHREY. Mr. President, this measure is called the National Turkey Marketing Act, but in effect it is essentially an enabling act providing the means for turkey producers themselves to develop and vote on a marketing order designed to give more stability to their industry. This act has the sponsorship of the National Turkey Federation, which made this proposal after several years of study and negotiations with the various State turkey federations.

I, together with a number of colleagues, introduced this identical proposal last year. Hearings were held, but at the time it was not possible to get sufficient agreement among committee members to report the bill favorably. Since that time, I believe that a greater understanding of the meaning and the value of this proposal has been achieved both by committee members and by members of various growers associations who were not in full agreement last year. However, there is still some hesitancy among some groups, notably those on the west coast. I understand that a somewhat similar proposal has been introduced earlier this session by the Senator from California [Mr. ENGLE]. It is my hope that hearings can be conducted soon on these measures, and any differences of opinion ironed out at that time.

I have just received a communication from the Minnesota Turkey Growers Association, expressing their continued support of the proposal and enclosing a copy of Resolution 15 which was adopted at their annual convention held February 7 in Minneapolis. I ask unanimous consent that this resolution appear in the RECORD at this point in my remarks.

There being no objection, the resolution was ordered to be printed in the RECORD, as follows:

RESOLUTION ADOPTED BY THE MINNESOTA TURKEY GROWERS ASSOCIATION AT ITS ANNUAL CONVENTION, FEBRUARY 7, 1959, MINNEAPOLIS, MINN.

Whereas the National Turkey Federation in convention assembled at Des Moines, Iowa, in January of 1959 endorsed national enabling legislation designed to provide the turkey industry with an avenue of self-help; and

Whereas the Minnesota Turkey Growers Association had considered the impact of such legislation at previous meetings and board of directors' sessions: Now, therefore, be it

Resolved, That the membership of this association go on record as favoring such enabling legislation as may be introduced in Congress through the efforts of the National Turkey Federation so long as such legislation is limited to being a fund-raising vehicle for research and promotion purposes.

Mr. HUMPHREY. Mr. President, turkey production is a significant agricultural enterprise in Minnesota and many other States of the Union. It makes an important contribution to our economy. Through promotion work carried on by the industry, turkey has become a staple year-round item of the American diet instead of an occasional holiday treat.

But expansion of the industry has brought problems of temporary surpluses, usually seasonal, that reflect the need for some stabilization devices to protect the producers. Turkey production involves many hazards and risks, and effective marketing stabilization could help remove some of the uncertainties. Through this bill, the turkey producers are seeking some way to achieve such marketing stabilization.

Let me emphasize that the bill introduced today is essentially an enabling measure. It does not set up any marketing agreement or order. It would provide a way for producers themselves to finance a stabilization program consisting of surplus removal or diversion, plus research and market development. It provides the means whereby the turkey people could initiate marketing orders which would, after hearing and approval by the Secretary if voted upon favorably by a sufficient majority, put the program into action.

Mr. President, I ask that a copy of the proposed bill be printed at the conclusion of my remarks.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1395

A bill to enable producers to provide a supply of turkeys adequate to meet the needs of consumers, to maintain orderly marketing conditions, and to promote and expand the consumption of turkeys and turkey products

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "National Turkey Marketing Act."

SEC. 2. Breeder hens for the production of hatching eggs and poults, and market turkeys are produced by persons widely scattered throughout the several States, and hatching eggs and market turkeys and turkey products move in large part through the channels of interstate or foreign commerce.

The number of breeder hens maintained, the supply of hatching eggs, and the number of poults hatched directly affect the supplies of, the markets for, and the prices of, turkeys and turkey products in commerce. Turkeys which do not move to market in commerce directly affect the markets for and the prices of turkeys and turkey products in commerce.

Farmers maintaining flocks of breeder hens for the production of hatching eggs for poults or market turkeys, persons hatching eggs for the production of poults or market turkeys, and growers of market turkeys individually have been unable to determine the number of breeder hens required, or the number of hatching eggs or poults to be produced, to provide a supply of turkeys needed to meet effective demand. As a consequence turkey breeders and turkey hatcherymen and turkey growers are unable to market in an orderly manner or to prevent excessive supplies or shortages occurring in commerce, with the result that prices fluctuate widely, causing severe losses or injury to producers and consumers of turkeys.

DECLARATION OF POLICY

SEC. 3. It is hereby declared to be the policy of the Congress that it is in the public interest to encourage the producers of breeder hens, hatching eggs, poults, and market turkeys, through marketing orders issued pursuant to the provisions of this Act, to establish and contribute to the support of (1) programs to provide, in the interests of producers and consumers, such supply and orderly flow of turkeys in commerce through the marketing season as will avoid unreasonable fluctuations in supplies and prices, and as will tend to provide a reasonable and adequate return to efficient producers, and as will tend to establish, as the prices to farmers, parity prices as defined by section 301 (a) (1) of the Agricultural Adjustment Act of 1938, as amended, and (2) research (including disease control), promotion, and market development programs to expand the consumption of, and to assist, improve, or promote the marketing and distribution in commerce of turkeys and turkey products.

MARKETING ORDERS

SEC. 4. (a) To effectuate the declared policy of this Act, the Secretary shall, subject to the provisions of this section, issue and from time to time amend, orders applicable to persons engaged in the marketing in commerce of breeder hens, hatching eggs, poults or market turkeys, and to buyers of turkeys for slaughter.

NOTICE AND HEARING

(b) Whenever the Secretary, upon the request of producers of breeder hens, hatching eggs, poults, or market turkeys, has reason to believe that the issuance of an order will tend to effectuate the declared policy of this Act, he shall give due notice of and an opportunity for a hearing upon a proposed order. The formulation of the terms of any such order for proposal to the Secretary or the carrying out of any provision of this Act shall not be held to be in violation of any of the antitrust laws of the United States and shall be deemed to be lawful.

FINDING AND ISSUANCE OF ORDERS

(c) After such notice and opportunity for hearing, the Secretary shall issue an order if he finds, and sets forth in such order, upon the evidence introduced at such hearing (in addition to such other findings as may be specifically required by this section) that the issuance of such order and all of the terms and conditions thereof will tend to effectuate the declared policy of this Act.

TERMS

(d) Orders issued pursuant to this section shall contain one or more of the following terms and conditions, and (except as provided in subsection (e)) no other:

(1) Requiring that every person maintaining breeder hens for the production for commerce of hatching eggs, poults, or market turkeys register his name and address, and that each such breeder hen be registered and issued an official band in accordance with the terms of the marketing order.

(2) Providing for the payment by the person registering breeder hens of a market development and stabilization fee for each breeder hen registered and issued an official band in accordance with the terms of the marketing order.

(3) Prohibiting the marketing in commerce of breeder hens, hatching eggs, poults, or market turkeys produced other than by breeder hens registered and issued an official band in accordance with the terms of the marketing order.

(4) Prohibiting the marketing in commerce of breeder hens, hatching eggs, poults, or market turkeys by any person owning, possessing, or controlling any breeder hens which have not been registered and issued an official band in accordance with the terms of the marketing order.

(5) Providing for payments from funds collected pursuant to the marketing order for marketing breeder hens for slaughter in accordance with the terms of the marketing order.

(6) Providing for the payment by the person hatching eggs for the production of poults for commerce or marketing hatching eggs in commerce for the purpose of hatching of a market development and stabilization fee for each hatching egg so hatched or marketed in accordance with the terms of the marketing order.

(7) Providing for the payment by the person marketing poults in commerce or retaining poults for the production of market turkeys for commerce, of a market development and stabilization fee for each poult marketing in commerce or retained for the production of turkeys for market in commerce in accordance with the terms of the marketing order.

(8) Providing for payments from funds collected pursuant to the marketing order for diverting hatching eggs or poults from the channels of commerce.

(9) Providing for the purchase from funds collected pursuant to the marketing order, and the sale or other disposition of breeder hens, hatching eggs, or poults not needed for the production of market turkeys.

(10) Providing for the payment by the person marketing market turkeys in commerce of a market development and stabilization fee for each market turkey marketing in commerce in accordance with the terms of the marketing order.

(11) Providing for the withholding from the proceeds of sale of breeder hens, hatching eggs, poults and market turkeys of any market development and stabilization fees becoming due and owing by reason of the marketing of same, and for the disposition of such fees in accordance with the terms of the marketing order.

(12) Providing for payments to be made from funds collected pursuant to the marketing order to encourage the marketing, sale, export, diversion, or other utilization of market turkeys or turkey products in accordance with the terms of the marketing order.

(13) Providing for the purchase from funds collected pursuant to the marketing order and the sale, donation, export, or other disposition of market turkeys or turkey products to facilitate marketing, promote consumption, or effectuate a better balance between supply and demand of turkeys in accordance with the terms of the marketing order.

(14) Establishing or providing for the establishment of research (including disease control), promotion and market development programs designed to assist, improve, or promote the marketing, distribution, or consumption of turkeys or turkey products, the expense of such projects to be paid from funds collected pursuant to the marketing order.

(15) Any term or condition incidental to, not inconsistent with, and necessary to effectuate any other terms and conditions of such order.

TERMS COMMON TO ALL ORDERS

(e) Any order issued pursuant to this section shall provide a method for the selection of a marketing board to administer such order. Such order shall also provide for adequate representation on the marketing board of each class of producer (as defined in section 8(m) of this Act) subject to the order and for proper regional representation. The members of the board shall be appointed by the Secretary from nominations made by producers. Upon request of the marketing board the Secretary shall appoint from persons engaged in allied industries advisers to advise the board on any matter on which the board may request advice in connection with the performance of its duties. No action taken by any such board affecting any class of producer as defined in section 8(m) of this Act shall be effective unless such action is approved by a majority of the members of the board representing such class of producer. Each marketing order shall state the maximum market development and stabilization fee which may be assessed against any class of producer. The order shall define the powers and duties of the marketing board which shall include the power:

(1) To administer such order in accordance with its terms and provisions;

(2) To establish committees or subcommittees to carry out assigned duties and functions and to designate persons who may or may not be members of the marketing board to serve upon such committees:

(3) To employ or retail the services of necessary personnel;

(4) To enter into contracts or agreements to secure the services of others (including trade organizations serving the turkey industry) in administering the order and in formulating, developing and carrying out programs for the removal or diversion of surplus breeder hens, hatching eggs, poults, and market turkeys from the market, for conducting research (including disease control), promotion and market development projects to expand the consumption of, and markets for, turkeys or turkey products, and for carrying out any other activity provided for in a marketing order;

(5) To recommend to the Secretary rules and regulations to effectuate the terms and provisions of such order;

(6) To receive, investigate, and report to the Secretary complaints of violations of such order;

(7) To recommend to the Secretary amendments to or suspension or termination of, such order; and

(8) To collect market development and stabilization fees and to pay from moneys collected such expenses as may be incurred by such marketing board in the performance of its duties as authorized under this Act, including compensation and expenses to members of the board and advisers.

CONSUMER SAFEGUARD

(f) Whenever the average price of turkeys to growers equals or exceeds the parity price and the Secretary determines that the average price for turkeys for the marketing season will equal or exceed the parity price, the Secretary shall suspend the operation of the provisions of any order authorizing the expenditure of funds for purchasing or diverting market turkeys from normal channels of distribution, and no funds shall be expended to reduce the supply of breeder hens, hatching eggs, or poults available for the production of market turkeys whenever the Secretary determines that the average price of market turkeys to producers during the ensuing marketing season will exceed the parity price.

REQUIREMENT OF REFERENDUM AND PRODUCER APPROVAL

(g) The Secretary shall conduct a referendum among producers for the purpose of as-

certaining whether the issuance of an order is approved or favored by producers, as required under the applicable provisions of this Act. No order issued pursuant to this section shall be effective unless the Secretary determines that the issuance of such order is approved or favored:

(1) By not less than 65 per centum by number of the producers of market turkeys voting in such referendum who, during a representative period determined by the Secretary, have been engaged in the production of market turkeys, and who produced not less than 51 per centum of the market turkeys during said representive period produced by producers voting in such referendum, or by not less than 51 per centum by number of the producers of market turkeys voting in such referendum who, during the representative period determined by the Secretary, have been engaged in the production of market turkeys, and who produced not less than 65 per centum of the market turkeys produced by producers voting in such referendum, and

(2) By not less than 51 per centum by number of the producers voting in such referendum of each commodity specified in such marketing order who, during a representative period determined by the Secretary, have been engaged in the production of such commodity for market, and who produced not less than 65 per centum by volume of such commodity produced by producers voting in such referendum, or by not less than 65 per centum by number of the producers of each commodity specified in such marketing order voting in such referendum who, during a representative period determined by the Secretary, have been engaged in the production of such commodity for market and who produced not less than 51 per centum by volume of such commodity produced by producers voting in such referendum.

AMENDMENT, SUSPENSION AND TERMINATION OF ORDERS

(h)(1) The Secretary shall, whenever he finds that any marketing order issued under this section, or any provision thereof, obstructs or does not tend to effectuate the declared policy of this Act, terminate or suspend the operation of such order or such provision thereof.

(2) Upon the request of the marketing board the Secretary shall conduct a referendum to determine whether producers favor the amendment, suspension, or termination of a marketing order. The Secretary shall suspend or terminate the provisions of a marketing order relating to any commodity specified therein whenever he determines that the suspension or termination of such order is approved or favored by a majority of the producers of market turkeys voting in such referendum or of the producers of such commodity voting in such referendum who, during a representative period determined by the Secretary, have been engaged in the production of such turkeys or of such commodity, as the case may be: *Provided*, That such majority have, during such representative period, produced more than 50 per centum of the volume of such turkeys or of such commodity, as the case may be, produced by the producers voting in such referendum.

(3) The termination or suspension of any order or amendment thereto or provision thereof, shall not be considered an order within the meaning of subsection (j) of this section.

(4) The provisions of this Act applicable to marketing orders shall be applicable to amendments to orders.

ELIGIBILITY TO VOTE IN REFERENDUM

(i) At least fifteen days prior to conducting any referendum under this Act, the Secretary shall issue a public notice fixing a time and a place in each county where producers who, during a representative period determined by the Secretary, have been engaged in the production of market turkeys or of a commodity specified in a proposed marketing order, may register their names, addresses, and such other pertinent information as the Secretary may require. The Secretary may exclude any person who fails to so register or who is otherwise ineligible to vote from participating in the referendum.

PETITION AND REVIEW

(j)(1) Any person subject to any order may file a written petition with the Secretary, stating that any such order or any provision of any such order or any obligation imposed in connection therewith is not in accordance with law and praying for a modification thereof or to be exempted therefrom. He shall thereupon be given an opportunity for a hearing upon such petition, in accordance with regulations made by the Secretary. After such hearing, the Secretary shall make a ruling upon the prayer of such petition which shall be final in accordance with law.

(2) The district courts of the United States in any district in which such person is an inhabitant, or has his principal place of business, are hereby vested with jurisdiction in equity to review such ruling, provided a complaint for that purpose is filed within twenty day from the date of the entry of such ruling. Service of process in such proceedings may be had upon the Secretary by delivering to him a copy of the complaint. If the court determines that such ruling is not in accordance with law, it shall remand such proceedings to the Secretary with directions either (1) to make such ruling as the court shall determine to be in accordance with law, or (2) to take such further proceedings as, in its opinion, the law requires. The pendency of proceedings instituted pursuant to this subsection (j) shall not impede, hinder or delay the United States or the Secretary from obtaining relief pursuant to section 5(b) of this Act.

LIMITATION OF LIABILITY

(k) In exercising powers granted pursuant to this section the members of any marketing board and any agents or employees of any such board shall not be held liable individually in any way whatsoever for errors in judgment, mistakes, or other acts, either of commission or omission, except for their own acts of dishonesty or crime. No such person shall be held responsible for any act or omission of any other such persons.

ENFORCEMENT

SEC. 5. (a) Any fee assessed pursuant to any marketing order issued hereunder shall be due and payable to the marketing board by the person liable therefor under the terms of the order. In the event of failure by any person so assessed to pay any such fee in accordance with the terms of the marketing order, the Secretary, upon request of the marketing board, may cause a suit to be instituted against such person in a court of competent jurisdiction for the collection thereof. Any funds so recovered shall be paid to the marketing board for carrying out the terms of the marketing order.

(b) Any person who willfully violates any provision of any marketing order duly issued by the Secretary hereunder or who fails or refuses to pay any fee duly required of him thereunder shall be liable civilly in an action brought in the name of the United States for an amount not exceeding $1,000 for each separate violation or failure or refusal to pay.

(c) The several district courts of the United States are vested with jurisdiction specifically to enforce, and to prevent and restrain any person from violating any order or regulation made or issued pursuant to this Act.

(d) Upon request of the Secretary it shall be the duty of the several district attorneys of the United States in their respective districts, under the direction of the Attorney General, to institute proceedings to enforce the remedies and to collect the fees and civil penalties provided for in this section.

BOOKS AND RECORDS: DISCLOSURE OF INFORMATION

SEC. 6. (a) All persons subject to a marketing order issued by the Secretary hereunder, shall maintain books and records adequate to reflect their operations subject to the order and shall furnish to the Secretary, as may be called for from time to time by the Secretary, reports covering such operations. For purposes of ascertaining the correctness of any such reports or for the purpose of obtaining the necessary information in the event of failure to furnish the information requested, the Secretary is authorized to examine any such books and records relating to such operations.

(b) Any such information so obtained by the Secretary, his agents, or the marketing board concerned, shall be kept strictly confidential and only such information so furnished or acquired as the Secretary deems relevant shall be disclosed, and then only in a suit or administrative hearing brought at the direction, or upon the request, of the Secretary of Agriculture, or to which he or any officer of the United States is a party, and involving the marketing order with reference to which the information so to be disclosed was furnished or acquired. Nothing in this section shall be deemed to prohibit (1) the issuance of general statements based upon the reports of a number of persons subject to an order, which statements do not identify the information furnished by any person, or (2) the publication by direction of the Secretary of the name of any person violating any order, together with a statement of the particular provisions of the marketing order violated by such person. Any such officer or employee violating the provisions of this section shall upon conviction be subject to a fine of not more than $1,000 or to imprisonment for not more than one year, or to both, and shall be removed from office.

REGULATIONS

SEC. 7. The Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of this Act.

DEFINITIONS

SEC. 8. For the purposes of this Act—

(a) The term "commerce" means interstate or foreign commerce and that commerce which affects, burdens, or obstructs interstate or foreign commerce in breeder hens, hatching eggs, poults, or market turkeys, or which affects, burdens, or obstructs the supply or prices of such commodities in interstate or foreign commerce.

(b) The term "interstate or foreign commerce" means commerce between any State, Territory, or possession, or the District of Columbia, and any place outside thereof; or between points within the same State or the District of Columbia, but through any place outside thereof; or within the District of Columbia.

(c) The term "marketing" means the offer for sale, sale, or transfer of ownership by any means of breeder hens, hatching eggs, poults, or market turkeys, or the delivery to another person of breeder hens for the production of hatching eggs, hatching eggs for hatching, poults for the production of breeder hens or market turkeys, or market turkeys for slaughter.

(d) The term "Secretary" means the Secretary of Agriculture.

(e) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(f) The term "turkey" means a live turkey of any species over 6 weeks old.

(g) The term "market turkey" means a live turkey over six weeks old produced or marketed for the production of turkey products.

(h) The term "breeder hen" means a live turkey hen kept for the production of eggs for hatching, or a live turkey hen ten months old or older or any classification thereof as defined in the marketing order.

(i) The term "poult" means a young live turkey not over six weeks old.

(j) The term "hatching egg" means any egg produced by a breeder hen.

(k) The term "turkey products" means turkey which has been slaughtered for human food, any edible part of turkey, or any human food product consisting of any edible part of turkey separately or in combination with other ingredients.

(l) The term "marketing season" means a period of not more than twelve consecutive months established pursuant to a marketing order.

(m) The term "producer" means—

(1) in the case of breeder hens and hatching eggs, any person who owns more than ten breeder hens for the production of hatching eggs for the production poults or turkeys;

(2) in the case of poults, any person who produces or acquires more than five hundred hatching eggs for the production of poults for the production of turkeys;

(3) in the case of market turkeys, any person who produces more than two hundred and fifty turkeys for market.

(n) The term "person engaged in allied industries" means any person who is engaged in the manufacture or distribution of feed for poults or turkeys, the slaughtering or processing of turkeys for market, or the distribution of turkey products.

SEPARABILITY

SEC. 9. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the validity of the remainder of the Act and of the application of such provision to other persons and circumstances shall not be affected thereby.

EFFECTIVE DATE

SEC. 10. This Act shall take effect upon enactment.

PRESERVATION OF WORKS OF ART OWNED BY UNITED STATES

Mr. CLARK. Mr. President, I introduce for appropriate reference a bill providing that the Administrator of General Services shall preserve works of art owned by the United States. The bill has four main features.

First. Historic buildings: The Administrator of General Services, who is authorized under present law to order the demolition of any buildings declared surplus to the needs of the Government unless the Secretary of the Interior counteracts that order within 90 days, would be directed to save historic buildings, sites, objects and antiquities owned or controlled by the United States which are or may be threatened with destruction.

National Trust for Historic Preservation figures reveal that between April 23, 1956 and August 23, 1957, proposals to demolish eight historic buildings were referred to the Secretary of the Interior, and only one building, the San Francisco Mint was saved by timely action of the Secretary. Existing laws have not been overhauled for a quarter of a century and are inadequate to safeguard our landmarks of the past.

Second. Works of art: Another purpose of the bill is to direct the General Services Administration to provide a continuing program of preservation, repair, and restoration of works of art owned by the United States and to acquire suitable works of art for the decoration of Federal public buildings.

Third. Architecture: The bill would also direct the Administrator of the General Services Administration to require high standards of architectural design and decoration for Federal public buildings and set up appropriate machinery to accomplish this end after consultation with the Commission of Fine Arts, the Director of the National Collection of Fine Arts and the Director of the National Gallery of Art.

We have come a long way since the days in which the usual Government building was an unattractive pile of cement, but we still have room for considerable improvement. Anyone familiar with the superb work done by the Office of Foreign Buildings of the Department of State in various posts abroad knows what the creative genius of American architects can accomplish if given broader scope. The latter program would be exempted by the terms of the bill.

Fourth. Commission of Fine Arts: The Commission of Fine Arts was created in 1910 primarily to serve as guardian for the L'Enfant plan for the District of Columbia and it has conscientiously carried out that task. Rightly or wrongly, however, the Commission has gained the reputation of restricting the competitions and commissions over which it has advisory responsibilities to a limited coterie of friends. It may be claimed that the style of work thus chosen harmonizes with the esthetic ideal of the period when Mr. L'Enfant—1754–1825—drew his famous plans for Washington.

The United States has made significant contributions to modern architectural design and the decoration of such buildings should be comparably vital and original. If the influence of the Commission of Fine Arts is to be extended throughout the United States, then it is essential that this Commission be enlarged, rotation of membership required, and its members appointed with due regard for nominations submitted by leading national organizations in the fields of art concerned. My bill will accomplish these changes.

Representative HENRY S. REUSS, Democrat of Wisconsin, and FRANK THOMPSON, Democrat of New Jersey, have introduced companion bills in the House of Representatives.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 1398) to provide that the Administrator of General Services shall preserve works of art owned by the United States, restore such works of art which have deteriorated or become damaged, provide high standards of architectural design and decoration for Federal public buildings, and for other purposes, introduced by Mr. CLARK, was received, read twice by its title, and referred to the Committee on Rules and Administration.

DEVELOPMENT OF DOMESTIC FLUORSPAR INDUSTRY—ADDITIONAL COSPONSOR OF BILL

Mr. ALLOTT. Mr. President, on March 5, 1959, I introduced the bill (S. 1285) to provide for the preservation and development of the domestic fluorspar industry, and asked that the bill lie on the table through March 11, 1959. Through some oversight the bill was printed that night. I ask unanimous consent that the name of the distinguished Senator from Nevada [Mr. CANNON] be added to the bill as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPEAL OF 22D AMENDMENT TO CONSTITUTION—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. KEFAUVER. Mr. President, I ask unanimous consent to have my name added to the list of sponsors of Senate Joint Resolution 11 which was introduced on January 14 by the senior Senator from Missouri for himself, the junior Senator from Rhode Island [Mr. PASTORE] and the junior Senator from Michigan [Mr. HART]. This joint resolution proposes an amendment to the Constitution to repeal the 22d amendment. This latter amendment, limiting by law the terms which a President can serve despite any and all circumstances, should never have been adopted. I wish, by cosponsorship, to associate myself with the distinguished sponsors of the proposed amendment which would, in effect, revoke it. As chairman of the Subcommittee on Constitutional Amendments, I shall do all in my power to see that the Senate has a chance to pass upon this joint resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF CONSTITUTION RELATING TO FILLING OF TEMPORARY VACANCIES IN HOUSE OF REPRESENTATIVES—ADDITIONAL COSPONSOR OF JOINT RESOLUTION

Mr. KEFAUVER. Mr. President, on January 29, I introduced Senate Joint Resolution 39, a joint resolution to amend the Constitution to authorize the Governors of the 49 States to fill temporary vacancies in the House of Representatives when the total number of such vacancies exceeds half of the authorized membership thereof.

On March 9, the Subcommittee on Constitutional Amendments unanimously approved the joint resolution without amendment and recommended that the Committee on the Judiciary report it favorably to the Senate. At that time, the junior Senator from Connecticut [Mr. DODD], a distinguished member of the subcommittee, did me the honor to request that he be joined as a cosponsor of the joint resolution. I now ask unanimous consent that he be joined as a cosponsor of Senate Joint Resolution 39.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the RECORD, as follows:

By Mr. HUMPHREY:

Article entitled "Mikoyan's Success," written by Harrison E. Salisbury, and published in the New York Times of January 11, 1959; and article prepared by him entitled "Mikoyan's Visit Spells Further Soviet Salesmanship on Trade and Berlin, Senator HUMPHREY States," prepared for the North American Newspaper Alliance.

NOTICE OF PUBLIC HEARINGS BY THE SENATE CONSTITUTIONAL RIGHTS SUBCOMMITTEE ON "EXECUTIVE PRIVILEGE" AND "FREEDOM OF INFORMATION"

Mr. MANSFIELD. Mr. President, the chairman of the Senate Judiciary Subcommittee on Constitutional Rights [Mr. HENNINGS] has asked me to announce that a public hearing will be conducted by the subcommittee on Friday, March 13, 1959, at 10 a.m. in room 457 of the Old Senate Office Building, Washington, D.C., on "Executive Privilege" and "Freedom of Information," in accordance with the subcommittee's programs for this year, under authorization of Senate Resolution 62, summarized in the accompanying Senate Report No. 31.

The witnesses will be: First, Robert Keller, General Counsel of the General Accounting Office, appearing for the Comptroller General of the United States, and accompanied by, second, Lawrence Powers, Director of the Defense Accounting and Auditing Division, General Accounting Office.

Third. Joseph W. Bishop, Jr., professor of law, Yale Law School, New Haven, Conn.

Incidentally, the subcommittee hopes to be able to hear Prof. Edward S. Corwin at some future date. Professor Corwin has indicated an interest in the studies of the subcommittee but said the other day he would be unable to come to Washington at this time because he has some throat trouble. Professor Corwin, as we all know, is one of the country's leading writers and students of Congress and the Presidency.

NOTICE OF PUBLIC HEARINGS BY SENATE CONSTITUTIONAL AMENDMENTS SUBCOMMITTEE ON TAXATION BY STATES OF NONRESIDENTS

Mr. KEFAUVER. Mr. President, as chairman of the standing Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I wish to announce that the subcommittee has agreed to begin public hearings on taxation by States of nonresidents. The hearings will begin April 15, 1959, at 10 a.m. in a hearing room to be announced later.

The following are the joint resolutions on this subject which will be the subject of the hearing: Senate Joint Resolution 29, introduced on January 23, 1959, by both Senators from New Hampshire; Senate Joint Resolution 67, introduced on March 5, 1959, by the senior Senator from New Jersey; and a joint resolution to be introduced very soon by the junior Senator from Connecticut.

Anyone wishing to testify or file a statement for the record should communicate with the Office of the Senate Constitutional Amendments Subcommittee so that the schedule of witnesses can be prepared; the telephone number is DIstrict 7-8220, and the mailing address is: Senate Constitutional Amendments Subcommittee, U.S. Senate, Washington 25, D.C.

NOTICE OF PUBLIC HEARINGS BY SENATE CONSTITUTIONAL AMENDMENTS SUBCOMMITTEE ON PRESIDENTIAL DISABILITY

Mr. KEFAUVER. Mr. President, one of the few real gaps in our Constitution relates to Presidential disability. It is a gap which has been in the forefront of the public mind for several years.

Last year, the Subcommittee on Constitutional Amendments held extensive hearings on this subject on January 24, and February 11, 14, 18, and 28. The printed hearings contain the statements of a very large number of eminent lawyers and political scientists. On March 12, 1958, Senate Joint Resolution 161, 85th Congress, was favorably reported by the subcommittee. Unfortunately, no action was taken on this resolution by the full Committee on the Judiciary.

This year, I introduced Senate Joint Resolution 40 on this same subject. This joint resolution was discussed by the subcommittee at its meeting on March 9, 1959. At that time, I agreed to amend Senate Joint Resolution 40 in order that it would be identical with the text of Senate Joint Resolution 161, 85th Congress, as reported by the subcommittee last year. I am having a subcommittee print made of Senate Joint Resolution 40, as amended. However, Mr. President, I ask unanimous consent to have printed in the RECORD at this point the text of the joint resolution (S.J. Res. 40) as amended.

There being no objection, the joint resolution, as amended, was ordered to be printed in the RECORD, as follows:

S.J. RES. 40

Joint resolution proposing an amendment to the Constitution of the United States relating to cases where the President is unable to discharge the powers and duties of his office

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —

"SECTION 1. In case of the removal of the President from office, or of his death or resignation, the Vice President shall become President for the unexpired portion of the then current term.

"SEC. 2. If the President shall declare in writing that he is unable to discharge the powers and duties of his Office, such powers and duties shall be discharged by the Vice President as Acting President.

"SEC. 3. If the President does not so declare, the Vice President, if satisfied that such inability exists, shall, upon the written approval of a majority of the heads of the executive departments in office, assume the discharge of the powers and duties of the Office as Acting President.

"SEC. 4. Whenever the President makes public announcement in writing that his inability has terminated, he shall resume the discharge of the powers and duties of his Office on the seventh day after making such announcement, or at such earlier time after such announcement as he and the Vice President may determine. But if the Vice President, with the written approval of a majority of the heads of executive departments in office at the time of such announcement, transmits to the Congress his written declaration that in his opinion the President's inability has not terminated, the Congress shall thereupon consider the issue. If the Congress is not then in session, it shall assemble in special session on the call of the Vice President. If the Congress determines by concurrent resolution, adopted with the approval of two-thirds of the Members present in each House, that the inability of the President has not terminated, thereupon, notwithstanding any further announcement by the President, the Vice President shall discharge such powers and duties as Acting President until the occurrence of the earliest of the following events: (1) the Acting President proclaims that the President's inability has ended, (2) the Congress determines by concurrent resolution, adopted with the approval of a majority of the Members present in each House, that the President's inability has ended, or (3) the President's term ends.

"SEC. 5. The Congress may by law provide for the case of the removal, death, resignation or inability, both of the President and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed, or a President shall be elected. If at any time there is no Vice President, the powers and duties conferred by this article upon the Vice President shall devolve upon the officer eligible to act as President next in line of succession to the Office of President, as provided by law.

"SEC. 6. This article shall be inoperative unless it shall have been ratified as an amendment to the Constitution by the legislatures of three-fourths of the several States within seven years from the date of its submission."

Mr. KEFAUVER. Mr. President, I also ask unanimous consent to have printed in the RECORD a statement in explanation of the joint resolution.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT—THE INABILITY CLAUSE AND ITS INTERPRETATION

The Constitution of the United States, in article II, section 1, clause 6, contains provisions relating to the continuity of the executive power at times of death, resignation, inability, or removal of a President. This clause reads as follows:

"In case of the removal of the President from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the Vice President, and the Congress may by law provide for the case of removal, death, resignation, or inability, both of the President and Vice President, declaring what officer shall act accordingly, until the disability be removed, or a President shall be elected."

This is the language of the Constitution as it was adopted by the Constitutional Convention upon recommendation of the Committee on Style. When this portion of the Constitution was submitted to that Committee it read as follows:

"In case of his (the President's) removal as aforesaid, death, absence, resignation, or inability to discharge the powers or duties of his office, the Vice President shall exercise those powers and duties until another President be chosen, or until the inability of the President be removed.

"The Legislature may declare by law what officer of the United States shall act as President, in case of the death, resignation, or disability of the President and Vice President; and such officer shall act accordingly, until such disability be removed, or a President shall be elected."

While the Committee on Style was given no authority to change the substance of prior determinations of the Convention, it is clear that this portion of the draft which that Committee ultimately submitted was a considerable alteration of the proposal which the Committee had received. The records of the Constitutional Convention do not contain any explicit interpretation of the provisions as they relate to inability. As a matter of fact, the records of the Convention contain only one apparent reference to the aspects of this clause which deal with the question of disability. It was Mr. John Dickinson, of Delaware, who, on August 27, 1787, asked:

"What is the extent of the term 'disability' and who is to be the judge of it? (Farrand, Records of the Constitutional Convention of 1787, vol. 2, p. 427.)"

The question is not answered so far as the records of the Convention disclose.

It was not until 1841 that this clause of the Constitution was called into question by the occurrence of one of the listed contingencies. In that year President William Henry Harrison died, and Vice President John Tyler faced the determination as to whether, under this provision of the Constitution, he must serve as Acting President or whether he became the President of the United States. Vice President Tyler gave answer by taking the oath as President of the United States. While this evoked some protest at the time, noticeably that of Senator William Allen, of Ohio, the Vice President (Tyler) was later recognized by the Congress as President of the United States by both Houses of Congress (Congressional Globe, 27th Cong., 1st sess., vol. 10, pp. 3–5, May 31 to June 1, 1841).

This precedent of John Tyler has since been confirmed on six occasions when Vice Presidents have succeeded to the Presidency of the United States by virtue of the death of the incumbent President. Vice Presidents Fillmore, Johnson, Arthur, Theodore Roosevelt, Coolidge, and Truman all became President initially in this manner.

The acts of these Vice Presidents, and the acquiescence in, or confirmation of, their acts by Congress have served to establish a precedent that, in one of the contingencies under article II, section 1, clause 6, that of death, the Vice President becomes President of the United States.

The clause which provides for succession in case of death also applies to succession in case of resignation, removal from office, or inability. In all four contingencies, the Constitution states: "the same shall devolve on the Vice President."

Thus it is said that whatever devolves upon the Vice President upon death of the President, likewise devolves upon him by reason of the resignation, inability, or removal from office of the President (Theodore Dwight, Presidential Inability, North American Review, vol. 133, p. 442 (1881)).

The Tyler precedent, therefore, has served to cause doubt on the ability of an incapacitated President to resume the functions of his office upon recovery. Professor Dwight, who later became president of Yale University, found further basis for this argument in the fact that the Constitution, while causing either the office, or the power and duties of the office, to "devolve" upon the Vice President, is silent on the return of the office or its functions to the President upon recovery. Where both the President and Vice President are incapable of serving, the Constitution grants Congress the power to declare what officer shall act as President "until the disability is removed."

These considerations apparently moved persons such as Daniel Webster, who was Secretary of State when Tyler took office as President, to declare that the powers of the office are inseparable from the office itself and that a recovered President could not displace a Vice President who had assumed the prerogatives of the Presidency. This interpretation gains support by implication from the language of article I, section 3, clause 5 of the Constitution which provides that the Senate shall choose a President pro tempore "in the absence of the Vice President, or when he shall exercise the office of President of the United States.

The doubt engendered by precedent was so strong that on two occasions in the history of the United States it has contributed materially to the failure of Vice Presidents to assume the office of President at a time when a President was disabled. The first of these occasions arose in 1881 when President Garfield fell victim of an assassin's bullet. President Garfield lingered for some 80 days during which he performed but one official act, the signing of an extradition paper. There is little doubt but that there were pressing issues before the executive department at that time which required the attention of a Chief Executive. Commissions were to be issued to officers of the United States. The foreign relations of this Nation required attention. There were evidences of mail frauds involving officials of the Federal Government. Yet only such business as could be disposed of by the heads of Government departments, without Presidential supervision, was handled. Vice President Arthur did not act. Respected legal opinion of the day was divided upon the ability of the President to resume the duties of his office should he recover. (See opinions of Lyman Trumbull, Judge Thomas Cooley, Benjamin Butler, and Prof. Theodore Dwight, Presidential Inability, North American Review, vol. 133, pp. 417–446 (1881).)

The division of legal authority on this question apparently extended to the Cabinet, for newspapers of that day, notably the New York Herald, the New York Tribune and the New York Times contain accounts stating that the Cabinet considered the question of the advisability of the Vice President acting during the period of the President's incapacity. Four of the seven Cabinet members were said to be of the opinion that there could be no temporary devolution of Presidential power on the Vice President. This group reportedly included the then Attorney General of the United States, Mr. Wayne MacVeagh. All of Garfield's Cabinet were of the view that it would be desirable for the Vice President to act, but since they could not agree upon the ability of the President to resume his office upon recovery, and because the President's condition prevented them from presenting the issue to him directly, the matter was dropped.

It was not until President Woodrow Wilson suffered a severe stroke in 1919 that the matter became of pressing urgency again. This damage to President Wilson's health came at a time when the struggle concerning the position of the United States in the League of Nations was at its height. During this period of Wilson's physical limitations, the Cabinet did not meet for a period of 8 months. Major matters of foreign policy such as the Shantung Settlement were unresolved. The British Ambassador spent 4 months in Washington without being received by the President. Twenty-eight acts of Congress became law without the President's signature (Lindsay Rogers, Presidential Inability, the Review, May 8, 1920; reprinted in 1958 hearings before Senate Subcommittee on Constitutional Amendments, pp. 232–235). The President's wife and a group of White House associates acted as a screening board on decisions which could be submitted to the President without impairment of his health. (See Edith Bolling Wilson, My Memoirs, pp. 288–290; Hoover, Forty-Two Years in the White House, pp. 105–106; Tumulty, Woodrow Wilson as I Know Him, pp. 437–438.)

As in 1881, the Cabinet considered the advisability of asking the Vice President to act as President. This time, there was considerable opposition to the adoption of such procedure on the part of assistants of the President. It has been reported by a Presidential secretary of that day that he reproached the Secretary of State for suggesting such a possibility (Joseph P. Tumulty, Woodrow Wilson as I Know Him, pp. 443–444). Upon the President's ultimate recovery, the President caused the displacement of the Secretary of State for reasons of disloyalty to the President (Tumulty, Woodrow Wilson as I Know Him, pp. 444–445).

Recent incidents involving the physical health of the President have again served to focus attention on the inability clause. This time, with the President of the United States himself urging action, further interpretations of this clause have been given.

It was the expressed view of former Attorney General Herbert Brownell that article II, section 1, clause 6, of the Constitution vested the power of determining inability in the Vice President (hearings before the Special Subcommittee on Study of Presidential Inability, House Judiciary Committee, April 1, 1957, p. 30). This view is supported by the present Attorney General (1958 hearings before Senate Constitutional Amendments Subcommittee, February 18, 1958, p. 175. For like expression, see pp. 198–199).

No similar provision exists in the Constitution by which to determine the recovery of the President or his ability to resume the office. In the absence of such a provision it must be presumed to be an open question. The Attorney General in his testimony suggested that it was his view that the powers and duties of the Presidency, once having devolved upon the Vice President, could thereafter be resumed by the President upon his determination that the inability had been removed. At the same time, however, the Attorney General admitted that there was considerable divergence among legal opinion concerning this viewpoint (1958 hearings before Senate Constitutional Amendments Subcommittee, pp. 153–154).

THE PROPOSAL AND ITS ANALYSIS

Section 1 of the amendment would confirm the historical practice by which a Vice President has become President upon the death of a President. It would further extend the practice to the contingencies of resignation or removal from office, which, like death, are contingencies of a permanent nature. The Vice President in such situations would continue to serve as President for the unexpired portion of the deceased President's term. Thus the amendment seeks to separate the problem of inability, which may be a temporary contingency, from contingencies of a permanent nature.

Section 2 of the amendment permits the discharge of the powers and duties of the Office of President by the Vice President as Acting President upon a declaration of the President, in writing, that he is unable to discharge the powers and duties of his Office. This section would make abundantly clear that, when the Vice President serves during a period of inability of the President, he serves only temporarily and is required to relinquish the discharge of the powers and duties of the Office whenever the President of the United States has sufficiently recovered to perform the functions of the Presidency.

Section 3 provides for the contingency where the President does not, or is unable to, declare his own inability. In such a situation the amendment would permit the Vice President to consult with the heads of the executive departments of Government and would require the written approval of a majority of them before the Vice President could assume the discharge of the powers and duties of the Presidency as Acting President.

In utilizing the term "executive departments," the amendment adopts language which already appears in article 2 of the Constitution. Such terminology does not include the military Departments of the Army, Navy, and Air Force. It does include the Departments of State, Justice, Defense, Treasury, Post Office, Agriculture, Interior, Commerce, Labor, and Health, Education, and Welfare. The language is such that it may include other executive departments which may be created by the Congress at future times.

In determining whether a majority of the heads of executive departments have given their written approval, only those heads of executive departments are to be counted who have been duly appointed by the President prior to the institution of disability proceedings by the Vice President. This is the meaning of the requirement that the heads of executive departments be "in office."

Sections 2 and 3 provide the means by which a President may relinquish, or be required to relinquish, the powers and duties of his office.

Section 4 contains the method and procedure by which a President may reassume his office on recovery. It also provides a check against the premature return of a President who has not fully recovered from his inability.

Section 4 provides that the President may return to office on the seventh day after making a public announcement in writing that his inability has terminated. However, the amendment further provides that if the Vice President agrees that the inability of the President has terminated, the President and the Vice President may determine an earlier day at which the President may resume the discharge of the powers and duties of his Office, but that day must be after the public announcement. They may decide that the President shall reassume his duties immediately. However, if the Vice President is convinced that the inability of the President persists, the amendment then makes it his responsibility to consult with the heads of the executive departments in office at the time of the announcement of the President.

If he secures from a majority of such officers a written statement declaring that the President's inability has not terminated, he is obliged to transmit that determination to the Congress along with his own written declaration that the President's inability has not terminated. It is then up to the Congress to act as the arbiter in this dispute. If the Congress is not then in session, they are obliged to assemble in special session to consider the issue. If the Congress determines by a vote of two-thirds of the Members present in each House that the inability has not terminated, the Vice President must discharge the powers and duties of the Office of the President as Acting President. The expression of the Congress is to be by concurrent resolution, a method which does not require the assent of the President. The Vice President, after such a determination by the Congress would continue to exercise the powers and duties as Acting President until he was satisfied that the President's inability had terminated or until the Congress, by concurrent resolution, adopted with the approval of the majority of the Members present in each House, had expressed its opinion that the President's inability had terminated. If the President's term ended before either of these contingencies occurred, the Acting President, of course, would likewise cease to act as President.

Section 4 does not permit the Congress by inaction to delay the return of the President to the exercise of his prerogatives for more than 6 days. It provides that if the dispute concerning the President's fitness has not been resolved against him before the seventh day, he shall at that time resume the exercise of the functions of the Presidency.

The first sentence of section 5 of the amendment reenacts that part of the present inability clause which provides that Congress may, by law, provide for the case where there is neither a President nor a Vice President, declaring what officer shall then act as President until the disability be removed or a new President elected. The second sentence of section 5 provides that at any time when there is no Vice President the powers and duties conferred by the amendment on the Vice President shall devolve upon the officer next in line of succession to the Office of President, as provided by the succession law enacted by the Congress.

Section 6 is the usual procedural requirement that the amendment proposed shall not be operative unless it shall have been ratified by at least three-fourths of the legislatures of the States within 7 years from the date of its submission.

Mr. KEFAUVER. Mr. President, this amendment seeks to remove a vexatious constitutional problem from the realm of national concern. It spells out, with a minimum of change, the procedures which are to be utilized whenever a President is unable to discharge the powers and duties of his Office. In so doing, it recognizes the vast importance of the Office involved as well as the tremendous interest which the people of the United States have in the continuity of the executive power of the United States.

It is a proposal which has been fashioned through the cooperation of both the legislative and the executive branches of Government. It does not, and cannot, cover every conceivable contingency which it is possible for the human mind to imagine. It is, however, a substantial improvement over the existing provisions of the Constitution dealing with the same subject.

Mr. President, I shall write the Attorney General and see if he wishes to testify further on this subject. Also, the subcommittee is prepared to hear any additional witnesses on this subject who desire to be heard. Requests or statements for the record should be addressed without delay to Mr. Bernard Fensterwald, Jr., Chief Counsel, Senate Subcommittee on Constitutional Amendments, U.S. Senate, Washington 25, D.C.

TAXATION BY STATES OF SALARIES OF PERSONS NOT RESIDENTS THEREOF—NOTICE OF HEARING ON SENATE JOINT RESOLUTION 67

Mr. KEFAUVER. Mr. President, as chairman of the Subcommittee on Constitutional Amendments of the Committee on the Judiciary, I wish to give notice that a hearing will be held at 10 o'clock a.m., on April 15, 1959, on the joint resolution (S.J. Res. 67) proposing an amendment to the Constitution of the United States to limit the power of the States and their political subdivisions to tax the salaries and wages of persons who are not domiciliaries or residents thereof.

IMPORTATION OF RUSSIAN-MADE LABORATORY EQUIPMENT FOR USE IN AMERICAN EDUCATIONAL INSTITUTIONS

Mr. BRIDGES. Mr. President, day in and day out it has been almost impossible to pick up a newspaper and not read that the Russians are supposedly beating us at something or other.

With one sad commentary after another being foisted upon the American public, it is appalling to read now that the Soviets are preparing to sell their Russian-made laboratory equipment to our American high schools and colleges.

Just for a starter, the Russians are sending to this country 6,000 pieces of school laboratory equipment to help us educate our youngsters. Items such as microscopes, projectors, and electronic devices, we are told, are being sold, or are scheduled to be sold, to our schools by the Russians at prices as low as one-fifth of the prevailing prices for comparable American-made items.

INVASION OF MARKET ALREADY STARTED

The Soviet Government's invasion of the U.S. markets, so far as these educational training aids are concerned, has already started. The first sample lot of 26 items arrived in this country only a few days ago.

What is more distressing, those who viewed these samples say there is no question as to their quality. One college scientist has been quoted as saying it would be impossible even to hope to buy articles of similar quality, made in the United States, for six times the price. And we are told there are plenty more where these came from.

To make matters worse, these cut-rate prices even take into consideration the high tariff the importer has to pay to bring this equipment into the country. The average duty on scientific educational materials imported into the United States from Iron Curtain countries is more than 40 percent. This is about as high a tariff bracket as one can find on any legal Russian-made item brought into this country.

REASONS WHY UNITED STATES SHOULD BE CONCERNED

There are many reasons why this matter should concern all of us.

First of all, what of the students themselves—the American boys and girls who will use this equipment? What will they think, what will they have to say about it?

Johnny Smith's first question will certainly be simple. Without any thought at all, he is certain to ask, "How come? How come we are using these Russian microscopes?"

And what will his teacher's answer be? Will he or she tell Johnny Smith that the Soviet-made equipment is better than ours? Or will the teacher say it is just cheaper—that our American schools cannot afford anything better? Or will the teacher say that the Soviet-made equipment is better—and cheaper, to boot?

Then what will Johnny Smith think—the Johnny Smith who represents the hope and the future of our country. Will he go home and think about it, and then come up with the conclusion that perhaps the Russians are better than we are? If he does, God help us.

If some persons are grateful enough and eager enough for this help from the Kremlin, the Communists will doubtless do as much for our youth as they already have for the boys and girls of their own country and of Poland and of East Germany and of Hungary and of other countries behind the Iron Curtain and held in the iron fist of the Reds.

It was only a few weeks ago that one of the chief plotters of our destruction visited this country. Under the guise of a sweet, gentle man who gives candy to babies, Mikoyan roamed about our country, with only one real thought in mind: "How can I soften up these Americans? How can I weaken them?"

Unfortunately, some people were taken in by his fraudulent and deceitful actions.

But when Mikoyan went home, he told his comrades how hard up America is. He told the world how much we need help. And now the Russians are trying to show the world how they and their Communist system can come to our aid.

LATEST STEP IS PART OF OVERALL PLAN

This plan of sending Russian-made equipment into our schools is just another step in the overall Communist plan to unbalance, first one, and then another, segment of the U.S. business community. It is another instance of the economic war which the Soviets have declared.

Only 3 weeks ago, the Communist textile mills priced their goods low enough to get the business—cost or profit being no object. The same is true in this case—except that instead of affecting American textile industry, this one affects the American educational system.

Win friends and influence people, regardless of how much it costs, is the Communist plan—a plan that I, for one, will not buy, and a plan which all America cannot afford to buy.

Communism can afford all kinds of losing propositions in attempting to achieve its ultimate goal. So can we, if we, too, want to resort to slave labor. American slave labor could give the whole world something for nothing. But no real American is willing to pay that kind of a price.

If we want to substitute the Communist system of slave labor for the American system of free labor, we might as well substitute the Volga Boat Song for the Star Spangled Banner.

No one ever gets something for nothing. It is unfortunate that some people are always looking for big bargains, and that they cannot see beyond the price tag.

That is exactly what we are faced with now—a big bargain. At cutrate prices, the Soviets are going to give us the tools, they say, with which to educate our high-school children and our college students.

The trouble is that the price might not be a meager savings in dollars and cents; instead, the price may be freedom. We cannot bargain with our freedom. It is the duty of every American to see to it that no one—no American—bargains with freedom as the price.

Right now, today, is the time to face up to this challenge.

If the day ever comes when we have to rely on the Communist system for anything, then that day will go down as the saddest and darkest one in the history of mankind. It will be the day when freedom and peace in the world will falter and fall. It will be the day when the winds of enslavement will slam shut the doors of hope, and faith, and liberty.

To meet this Soviet economic challenge, it is necessary to act as soon as these threats arise. The threat before us today is the Soviet invasion of our school system.

If there is a shortage of such scientific laboratory equipment in our classrooms, what can be done about it?

First of all, we can make the most of the high-quality surplus equipment which is available in warehouses across the country. Our teachers must be kept informed on what is available.

The Secretary of Health, Education, and Welfare recently said that such equipment is being declared surplus at the rate of about one hundred million dollars' worth, in initial value, each year.

Although this equipment is available to high schools and colleges, both public and private, he said that only about 20 percent of the items actually find their way into the educational institutions of America. Our schools are not necessarily to blame, because they may not know about the possibilities. I hope that hereafter those in charge of such surplus material will keep these institutions informed.

It was also pointed out by the Secretary that in many cases this equipment, after lying in warehouses for many months, was sold to surplus dealers; and the dealers, in turn, sold them to the schools. One cannot blame the surplus dealers for it. That is their business.

Whether the trouble is that the schools are not exercising a little initiative in obtaining these goods, or that the system of obtaining surplus is such that initiative is discouraged, should be looked into. This equipment is not worth anything unless it is used.

Last week, a national business magazine stated that the Russian-made equipment now being brought into this country includes instruments called spectrometers; and a recent report concerning Government surplus activity listed spectrometers as one of the many kinds of items piling up today in our warehouses where surplus goods are stored.

One of those who viewed the first Soviet shipment was quoted as saying that the Russian-made spectrometers were offered at about one-third the price of the cheapest similar item on the U.S. market today. But by just paying warehousing and transportation costs, the same articles could be obtained out of surplus.

These surplus goods, by the way, were actually used by the Defense Department, the Atomic Energy Commission, and other Federal agencies.

The National Defense Education Act of 1958 provides another means of meeting this threat. That act authorizes the sum of $280 million for grants to State educational agencies for just this very thing—laboratory equipment. These grants would be matched on a dollar-for-dollar basis—which, in effect, cuts the cost in half.

This challenge, which faces us today, cannot be treated in the same way that we might treat an economic situation with a friendly nation. The Soviets have declared war on our economy; and this matter of school equipment is just one phase of it. But this phase strikes at the very roots of one of the greatest American enterprises—the educational institution.

Therefore, so far as the National Defense Education Act is concerned, it would be well to consider amending it in such a way that these funds could not be used to buy this Russian-made equipment.

America must act firmly, following this outrageous incident. This problem confronts American educators, American students, and all other Americans.

This matter is vital to every American employer and every American employee. If cut-rate Russian products are allowed to invade the American business community, every one of our Nation's workers will suffer. American labor cannot and must not be revamped so as to compete with the tainted fruits of slave labor.

Now is the time to fight against this thing.

Now is the time to stop letting these Russian schemes go by unnoticed.

Now is the time to tell the Soviets that we have done a fairly good job without them, that we do not need their system, that we do not want their system—either now or ever. We can do things the American way, the free way.

Freedom is the most sacred and cherished of all possessions. In the world today we see too many people who have lost their freedom because of a few who have buried their heads in the sand.

America is a Nation of principles—the principles of freedom, liberty, justice, and equality. I am not willing to sacrifice these principles for anything—much

less for a few dollars or a few microscopes.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD, in connection with my remarks, an article entitled "Russia's Newest Trade Weapon," which was published in the magazine Business Week; and, also, an article entitled "Russ May Supply Us Teaching Aids," which was published in the Wall Street Journal.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Business Week, Jan. 24, 1959]

RUSSIA'S NEWEST TRADE WEAPON—SAMPLES OF SCHOOL LAB EQUIPMENT ARE EXCITING U.S. MAKERS AND CUSTOMERS—QUALITY IS SO GOOD AND PRICES SO LOW

Following a pattern laid down in aluminum and benzene, the Soviet Government's next invasion of the U.S. market will come in the school laboratory equipment market. That seemed clear this week as the first sample lot of 26 items arrived in the United States. The Soviet offer: delivery of the items, f.o.b. New York, at an average price only one-fifth of prevailing prices for comparable U.S.-made items.

In the opinion of educators who viewed the sample Soviet items, there is no question of the quality of merchandise up for sale. "They are," as one expert put it, "fantastically good."

"It would be impossible," according to one MIT scientist who carefully inspected the numerous spectrometers, microscopes, navigation instruction equipment, rotators, and the like, "to hope to buy anything of similar quality made domestically for six times the price. They're offering a top-grade spectrometer for $53, f.o.b. New York, including tariff. That's about one-third the price of the cheapest spectrometer on the U.S. market today. And the Russian equipment is good enough for a number of industrial uses too."

GROWING MARKET

The first shipment to be sold in the United States by the Ealing Corp., of Cambridge, Mass., will be valued at $45,000. This will bring in 300 to 500 of each of 12 different pieces of equipment.

The total U.S. market for school lab equipment is currently about $6 million a year. But with the new Federal bill for education, some experts think the total sales potential in the United States could run many times higher in the years just ahead.

AMERICAN WORRIES

Reaction of U.S. school lab equipment makers to the latest Russian move is a mixture of anger and frank incredulity. In an industry dominated by two manufacturers—Central Scientific Co. and W. M. Welch Scientific Co., both of Chicago—most companies admit they can't hope to fight back against price cuts of this magnitude.

Disturbed as they are over what would seem to be a stunning blow to their business outlook, however, they're banking on the belief that this is just another step in a larger Soviet plan to unbalance first one and then another section of the U.S. business community.

"Maybe," a manufacturer of microscopes suggests hopefully, "they'll shift their interest to somebody else soon."

In the past, this has been the pattern—a large supply of Soviet merchandise would suddenly appear on the market, then as suddenly dry up.

Official Washington is even more unconcerned about the latest Soviet economic maneuver. The average duty on scientific educational materials imported into the United States from Iron Curtain countries is about 42 percent, they point out. This is about as high a tariff bracket as you can find on any legal Russian-made item brought into the United States. And it should be enough to protect the U.S. manufacturer, officials say.

MASS PRODUCTION

Why this may not be the case—and why the Russians apparently feel they are now in a position to export quality-grade equipment of this type—is a question that interests industry representatives who have seen the sample items.

One logical answer is supplied by Paul D. Grindle, president of the Ealing Corp. Print order numbers on the instruction books accompanying some of the instruments, he says indicate that, compared with ours, the Soviet school lab instrument industry is huge.

Science education was one of the announced goals of U.S.S.R. leaders, and one of the first things the postwar Russian economy was tooled up to supply. As a result, the Soviet-produced equipment is the only equipment of its kind being mass-manufactured anywhere in the world today.

MORE TO COME

The economics of mass-manufacturing any standard item are well known. Having amortized engineering and development costs, the Soviet production machine has undoubtedly reached a point at which it costs hardly more than the price of materials to extend production of scientific lab equipment a few hundred thousand items more.

This puts the U.S.S.R. in a position to sell its runoff in world markets on a cut-rate basis. On the basis of reports coming out of Russia, the same overrun may occur sometime soon in other things from communications equipment to high-speed cameras. Grindle himself brought back a suitcase full of catalogs of electronic equipment.

MAKING CONTACT

How this particular deal came about is a story of startling simplicity. Ealing's President Grindle happened to notice a picture on the cover of the U.S. Physical Society's Physics Today showing a Russian physics teacher at work in his classroom. On the table top in front of the teacher was an array of lab equipment that would be unusual in a typical U.S. physics classroom.

Grindle asked the U.S. Department of Commerce about the legality of importing sample lots of this equipment and found that it was completely within the law. He inquired about the equipment at the Russian Embassy in Washington and was promptly referred to Amtorg—the Soviet trade corporation in New York. Amtorg suggested a note to the proper authorities in Moscow. This was answered by an encouraging letter and a list of 96 laboratory equipment items that the Soviet Union would be willing to sell, with estimated sales prices.

MISSION TO MOSCOW

Grindle then decided to go to Moscow to look over this bonanza for himself. He found a well-organized sales setup, prepared to handle his requests. Proper Ministry of Trade officials were available for discussions. Raznoexport, the Russian agency charged with handling Soviet consumer products, permitted him to examine any of its sales products.

Almost as startling as this organization and planning is the significance of the quality of the Soviet lab equipment. University professors, looking at the equipment, are flabbergasted at its educational implications. The Soviets seem to have planned it for use in classrooms up to the 11th grade level. In the United States it would be adequate in classrooms up to and including the first year of college.

Moreover, all of the instruments were obviously designed by people who understand and care about science education. "The most awful part about what we saw," says one professor, "is how embarrassingly good it is."

RUSS MAY SUPPLY US TEACHING AIDS—EDUCATORS ENTHUSIASTIC OVER POSSIBLE SALE OF APPARATUS

CAMBRIDGE, MASS.—American physics teachers who have long complained of the high cost and poor quality of demonstration apparatus will be offered a possible solution from Russia.

A dealer here, Ealing Corp., has imported equipment at a fraction of the cost of American-made microscopes, projectors, and other physics demonstration apparatus.

The top brass of science education at Harvard, Massachusetts Institute of Technology, and many others, have been briefed, and reaction has been enthusiastic. Formal presentation of the firm's imports is scheduled Tuesday in New York in connection with a meeting of the American Physical Society.

A recent report by the committee on apparatus for educational institutions of the American Association of Physics Teachers stressed the importance of the equipment bottleneck in the Nation's efforts to step up science education.

"There is widespread and increasing dissatisfaction among physics teachers with the high cost, relatively poor quality, lack of imagination, and paucity of new developments in the current offerings of apparatus supply houses in this country," the report said.

It cited a protective tariff averaging 40 percent and ranging up to 85 percent on such imports generally, with duties on Russian-made apparatus 57 percent higher than on German, Swiss, and British imports.

Ealing Corp. president, Paul Grindle, bought the equipment in a whirlwind tour of Russia last fall.

He has held off active marketing, despite Russian promises that the supply is virtually unlimited, so that leading physics teachers could get a preview.

Mr. DIRKSEN. Mr. President, will the Senator from New Hampshire yield?

Mr. BRIDGES. I yield.

Mr. DIRKSEN. Mr. President, I think the matter goes a little further than has been so ably set forth by the distinguished Senator from New Hampshire. Several weeks ago on the floor of the Senate I alluded to this subject, although not at quite so much length.

What is involved in this case, Mr. President, in my judgment, is the possibility of using funds made available by the Congress, and derived from taxes extracted from the people, under our national science program, to procure such equipment as is referred to.

As the Senator from New Hampshire has so well pointed out, no teacher is going to make an explanation of the fact that, regardless of whether there be wage differentials, a dictatorship can take this action as a form of propaganda. But it would come into sharp focus when our own public funds from the U.S. Treasury might be made available for the procurement of these items for teaching and laboratory purposes under programs also authorized by the Congress.

I have pondered the matter; and it has occurred to me that somewhere along the line it is going to be necessary to fashion a delimiting amendment to an appropriation bill, so as to forbid completely this sort of thing, because I do not believe our people want their tax moneys used

for the procurement of goods which come into our country at prices our people cannot possibly match, and have their use only add to unemployment in our own Nation.

Mr. BRIDGES. Mr. President, in answer, let me say that the dictators of the world have always begun with the youth of the countries with which they have dealt. Hitler started with the youth of Germany; Mussolini started with the youth of Italy; Stalin started with the youth of Russia; and similar developments have occurred in all the Communist satellite countries.

This development is the first attempt in a definite, specific way to drive such a wedge in this country. I believe it should have the attention of the Congress, and should be stopped.

DEATH OF LT. GEN. FLOYD PARKS

Mr. JOHNSTON of South Carolina. Mr. President, it was with profound sorrow that I learned of the death of one of the Nation's greatest soldiers, Lt. Gen. Floyd L. Parks, who died day before yesterday at Walter Reed Army Medical Center.

He rose from private to the rank of lieutenant general, and during his career impressed every nation of the world with his ability to lead troops and his ability to get along with his fellowmen.

Even though he was born in the fine State of Kentucky, we in South Carolina are equally proud of his record. He spent much of his youth in South Carolina, and was a graduate of Clemson College. From there he enlisted in the Army and began his illustrious career. His feats were many, among them that of leading some of the first troops into Berlin at the end of World War II. After the war he served as what we may call "mayor" of Berlin, as he presided over meetings of the combined British, French, and Russian commanders of the occupational forces.

He served as Chief of the Public Information Office for the Department of the Army for more than 6 years. He had the respect of all the members of the press and at the same time did a tremendous job of disseminating information for the Department of the Army. It was this versatility which led him to fame.

Certainly his military service, his leadership, and his friendliness will be missed by the Nation as a whole and to citizens. He was truly a fine gentleman and officer, and we, the people, suffered a great loss in his death.

AUTHORIZATION FOR SECRETARY TO RECEIVE MESSAGES FROM THE HOUSE AND FOR THE VICE PRESIDENT OR PRESIDENT PRO TEMPORE TO SIGN BILLS DURING ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that, notwithstanding the adjournment of the Senate today, authority be given to (1) the Secretary to receive messages from the House, and (2) the Vice President or the President pro tempore to sign bills or joint resolutions passed by the two Houses and found truly enrolled.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of executive business.

The motion was agreed to; and the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the Committee on Interstate and Foreign Commerce.

(For nominations this day received, see the end of Senate proceedings.)

The PRESIDING OFFICER. If there be no reports of committees, the clerk will state the nominations on the Executive Calendar.

THE FEDERAL RESERVE SYSTEM

The Chief Clerk read the nomination of George Harold King, Jr., of Mississippi, to be a member of the Board of Governors of the Federal Reserve System for the unexpired term of 14 years from February 1, 1946.

Mr. STENNIS. Mr. President, it is a privilege to commend Mr. George Harold King, Jr. to the Senate, and to urge confirmation of his nomination to membership on the Board of Governors, Federal Reserve System. Mr. King has an outstanding record of public service in Mississippi, where for several years he has been an active leader in the banking profession and in the economic development of the southeastern area, as well as the entire Nation. He is thoroughly familiar with the problems which come before the Federal Reserve Board. Since 1956 Mr. King has been a Director, the New Orleans Branch, Federal Reserve Bank of Atlanta, and for the past year has served as chairman of the New Orleans Branch Board.

I predict that his record of service as Governor of the Federal Reserve System will be outstanding.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

THE COUNCIL OF ECONOMIC ADVISERS

The Chief Clerk read the nomination of Karl Brandt, of California, to be a member of the Council of Economic Advisers.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the President be immediately notified of all nominations confirmed today.

The PRESIDING OFFICER. Without objection, the President will be notified forthwith.

LEGISLATIVE SESSION

Mr. JOHNSON of Texas. Mr. President, I move that the Senate resume the consideration of legislative business.

The motion was agreed to; and the Senate resumed the consideration of legislative business.

UNVEILING ON MARCH 12 OF PORTRAITS OF FIVE OUTSTANDING SENATORS — MODIFICATION OF ORDER

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order previously entered be modified and that the time for the ceremonies in the reception room be extended to 12:30, when a recess shall be declared.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Texas? The Chair hears none, and it is so ordered.

RESTRICTION ON IMPORTS ON PETROLEUM AND PETROLEUM PRODUCTS

Mr. JAVITS. Mr. President, I rise today to protest the inclusion of residual fuel oils for home heating systems in the order issued yesterday restricting imports of petroleum and petroleum products.

The Executive Order 3279 of March 10, announced in today's Federal Register, providing for import restrictions on petroleum and petroleum products, has grave implications for Americans whose livelihood depends upon the export of commodities to nations who earn dollars by sending residual oil and related petroleum products to these shores; chief among the nations affected are Canada and Venezuela who are among the best customers for United States products.

Restrictions on the import of residual oils which are used as fuel for home heating systems can seriously raise heating costs to homeowners and tenants, particularly in New York and other northern industrial States—it will be a real test for the sellers of these fuels. Even today, as I speak here, and while Washington is enjoying the first tastes of spring weather, heavy winter storms have struck in New York and elsewhere in the Nation. I hope the sellers will show self-discipline in this matter.

The cost of living index has been maintained at a fairly constant level since last summer. This holding the line against inflation of the dollar has deep meaning not only to the national economy but to the individual wage earner faced with satisfying his economic needs with a limited income. In the interests of holding this line I last week urged that residual fuel oils be excluded from any restrictions imposed on the import of crude oil and related products.

This is also a very serious matter to all Americans who are engaged in the export industries. Let us remember that

10 Americans work in the export industries for every one American working in the import industries.

Last year import quotas were imposed upon lead and zinc, affecting the trade of nations as widely scattered as Canada, Australia, Peru, and Mexico. The oil import quota order has been the second time trade restrictions have affected Canada and Mexico, previously affected by U.S. lead and zinc restrictions. In restricting a foreign nation's exports to the United States we are also tending to limit that nation's ability to import American goods. And—it must also be kept in mind—such a restrictive policy does not strengthen the economies of just those countries whose economies we wish to strengthen as our allies in the economic war which is so important a part of the cold war.

The New York Times of this morning includes an editorial on this question which points out, in referring to the oil import proclamation, that "to many abroad this will look like still another calculated act of economic warfare by the United States against its friends, an act they will interpret as again repudiating our frequent protestations of desire for the freest possible flow of international trade. It is an unhappy precedent which has been set." The editorial is appended hereto:

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

OIL IMPORT QUOTAS

President Eisenhower's decision to set up a system of compulsory import quotas covering crude petroleum and its products is an unhappy victory for a group of special interests whose gain will be at the expense of the general welfare and perhaps, ultimately, even at the expense of those who sought this move. If the immediate aims of these interests are served, the new restrictions on imports will tend to raise the cost of oil and its products, and perhaps also of coal, thus further intensifying the inflationary pressure which, in other respects, the Government is seeking to combat. And if, as is hinted in the President's statement, the Government seeks to police the price of oil and its products by changing the levels of permitted imports in response to price changes in this country, the result will be a further major intrusion of Government control in our economic life, with consequent weakening of the free enterprise system.

The national security argument for these controls is not convincing. This is shown most obviously by the inclusion of Canada in the list of countries whose oil exports to us are curbed, though there is no threat of interruption of seaborne transport in the case of Canadian oil. Beyond that, if serious attention need be paid to assuring sufficient petroleum for future emergency needs there is much to be said for keeping as much of our oil as possible in storage under the ground and increasing, not reducing our use of imported oil.

Nor can we look with equanimity upon the probable foreign repercussions of this move. The Canadian Trade Minister has already protested it, and similar resentment is undoubtedly felt also in Venezuela and other sources of imported oil. To many abroad this will look like still another calculated act of economic warfare by the United States against its friends, an act they will interpret as again repudiating our frequent protestations of desire for the freest possible flow of international trade. It is an unhappy precedent which has been set.

THE NEED FOR REALISTIC AND EFFECTIVE LABOR LEGISLATION

Mr. MUNDT. Mr. President, as the chairman of the Select Committee on Improper Activities in the Labor or Management Field [Mr. MCCLELLAN] has said, increased public demand for effective labor legislation is most encouraging. As a result of the investigations of the McClellan committee over the past 2 years, the American people have been told the sordid story of abuses, racketeering and corruption that have marked the leadership of certain labor union bosses.

As this story has unfolded before the Nation, we have witnessed a gradual awareness by the public turn to heated anger and demands that the Congress of the United States remove the evil shackles of dictatorial abuses which have been forced upon men and women who cannot defend themselves who are members of our trade unions.

The call for constructive, effective action has echoed often in this Chamber. The cry for remedial measures has been heard throughout the land, and once again hope is offered to the oppressed labor union members who rightfully want only to control their own destinies of their own unions.

The challenge comes forth again today from the editorial columns of one of Washington's three daily newspapers. The Washington Daily News today pointedly asks the Congress to make the necessary decisions so as to provide the protection that is needed for union members and their families, for the public and for decent union officials.

If we fail to enact effective corrective measures, the alternative, as the Daily News states, will be continuation by the Congress of conditions which "protect the mobsters, thieves, extortionists and murders exposed by the McClellan committee."

Mr. President, I ask unanimous consent to have the Daily News editorial printed in the RECORD at this point.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

BILL OF PARTICULARS

Members of the Senate Labor Committee are working on legislation to curb the labor rackets exposed by the McClellan investigation. So far, the action does not point toward a very strong bill.

The reluctance of the Democrats on the committee, under pressure from the union lobby, to write a tight law is frightening, in view of the McClellan disclosures. Surely they can hear what Senator JOHN L. MCCLELLAN, chairman of the investigating committee, has been saying.

Just this week in a New York speech, the Senator spelled out a bill of particulars in support of stronger measures he himself has proposed to correct the abuses revealed by his long inquiry.

"The instability or lack of integrity prevalent today in labor-management relations in this country is appalling," he said.

In the investigation, "we have had to deal constantly with people of low character or no character at all." Of 1,200 witnesses so far summoned, more than 200 ducked behind the fifth amendment for fear of incriminating themselves. The evils which have been exposed, he said, "are outrageously cruel, corrupt, and contemptible."

"No legitimate union, properly administered by honest and decent officials, would be penalized to any extent or degree whatsoever," the Senator said. "If these provisions are enacted into law, however, the power and opportunity of crooked labor bosses and criminal elements to continue the abuse and exploitation of union members and working people in this country will be substantially curbed and reduced."

That's the issue: Whether union members and their families, the public, and decent union officials will be protected; or whether, by not passing such measures, Congress continues to protect the mobsters, thieves, extortionists, and murderers exposed by the McClellan committee.

How can any honest and decent union officials, or Senators of like attributes, not know on which side to stand?

A BILL OF RIGHTS FOR UNION MEMBERS

Mr. MUNDT. Mr. President, I have received considerable mail in support of my bill, S. 1002. Newspapers in my home State of South Dakota, such as the Sioux Falls Argus-Leader and the Brookings Register, have endorsed my proposals.

At this point in the RECORD, Mr. President, I ask unanimous consent to have printed in the RECORD an editorial from the Sioux Falls Argus-Leader which is representative of the opinion I have received in recent weeks since introduction of S. 1002.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

A BILL OF RIGHTS FOR UNION MEMBERS

As a member of the McClellan committee investigating various abuses in the field of labor unionism, Senator KARL MUNDT, of South Dakota, has been disturbed by the sordid revelations of perfidy, graft, and corruption on the part of some leaders. He also has been made aware of the fact that the average union member doesn't possess the power under existing regulations to bring about a correction.

In consequence, he has presented a bill which he describes as "a bill of rights for labor union members." Its primary provisions are:

1. A well-defined mechanism for the nomination of candidates through the employment of signed nominating petitions.

2. The establishment of a representative election committee from the rank and file of labor.

3. The election committee's supervision of the entire election procedure including the counting of ballots.

4. A workable procedure for investigating these elections by the Secretary of Labor following a complaint signed by either 2 percent of the union membership or by any members of the election committee.

5. A workable judicial procedure to invalidate the results of irregularly held elections.

6. A mechanism for the authorization of strikes during collective bargaining negotiations.

7. Barring any individual who has been disenfranchised by any criminal conviction from serving as an officer of any union or in

any employee representative status, during the period of disenfranchisement.

8. An annual detailed report of the organization's financial activities, both to the Secretary of Labor and to the individual members of the labor organizations.

9. Any imposition upon union officers and agents that they handle union funds respectfully and honestly in the nature of a fiduciary trust relationship.

The proposed bill provides both the secret ballot and the honest count, so that those who belong to unions will be able to control their destiny, so far as it can be controlled, by the election of officers of their own choosing; the election of responsible and respectable individuals as their union heads, and the determination of major union decisions by democratic procedures.

Careful observers in Washington have said that the Mundt bill provides an answer that should be embodied in legislation and that it does so more thoroughly and more effectively than any other legislation now being considered.

Union members, it appears, should welcome legislation providing them with an opportunity to maintain their rights in the manner outlined in the bill. Certainly the nasty disclosures before the Senate committee in the past 2 years haven't been good for labor and they must have been most disturbing to labor union members. They should be eager—and we are quite certain they are—to do something to prevent such incidents. The Mundt bill provides them with the machinery through which they can reestablish control and assert their own viewpoints without fear of abuse or retaliation.

DEMOCRATIC PROCEDURES FOR THE CONDUCT OF UNION ELECTIONS AND STRIKE AUTHORIZATIONS

Mr. MUNDT. Mr. President, the Congress must meet the challenge to bring democracy to the dues-paying members of labor unions. We cannot offer a half-a-loaf compromise on this vital issue. To do so would not only be an affront to the public, but would perpetuate the very difficulties which we are trying to correct.

On Monday, March 9, Mr. President, it was my privilege to appear before the Senate Labor and Welfare Committee to testify in behalf of my bill, S. 1002, which provides democratic procedures for the conduct of union elections and strike authorizations.

Mr. President, I sincerely believe S. 1002 does provide the solution which we seek. I ask unanimous consent to include at this point in the RECORD, part of my testimony before the Senate Labor and Welfare Committee.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

REMARKS OF SENATOR MUNDT BEFORE THE SENATE LABOR AND WELFARE COMMITTEE IN BEHALF OF HIS BILL, S. 1002, PROVIDING DEMOCRATIC PROCEDURES FOR THE CONDUCT OF UNION ELECTIONS AND STRIKE AUTHORIZATIONS

Mr. Chairman, I want to thank you and the members of the Senate Labor Subcommittee for the courtesy you have extended to me in arranging this special hearing on S. 1002, my "Bill of Rights for Union Members." I sincerely believe that S. 1002 contains provisions which are worthy of discussion and consideration by this subcommittee, and I appreciate having this opportunity to discuss certain aspects of S. 1002 with you.

I recognize that this subcommittee has already reported S. 505 to the full Committee on Labor and Public Welfare for executive committee study and consideration. I will, therefore, refrain from any lengthy discourse on comprehensive labor legislation. My presentation today will be limited to two features of the labor bill which I introduced in the Senate on February 6, 1959. Specifically, I refer to the provisions establishing minimum standards for the democratic conduct of union officer elections and strike authorizations.

I want to emphasize at the outset that S. 1002 is in no sense an anti-labor bill. The requirements established in this bill are neither repressive or restrictive. It is a bill for labor spelled with a lower case "l," meaning the rank-and-file members of America's union-labor movement.

S. 1002 stems from a firm conviction on my part that in our American democracy there should always be a place for honest labor unions, and, conversely, in honest labor unions there should always be a place for American democracy.

I am certain that the vast majority in Congress are sincere in their desire to enact labor legislation which will eliminate corruption, racketeerism, violence, and abusive power from the labor-management field. Our differences of opinion are, in the main, over the approach we should employ to arrive at this common goal. Some believe detailed disclosure of union and management finances is the answer; some feel there should be a greater investment of authority in the individual States; some support more stringent controls at the national level; there are even some incorrigible optimists who believe that given time the evil forces will destroy each other and simply fade away. None of these approaches can be entirely discredited; each has some degree of merit. But I am convinced Congress now has an urgent responsibility to enact corrective and realistic reform legislation.

My bill is based on an approach which we dare not disregard if we hope to enact effective labor reform legislation—I refer to the power of the rank-and-file union members to set things right in the house of labor provided they are furnished with the tools required to do the job.

As you gentlemen know, I have served as a member of the Senate Rackets Committee since its creation. In this Congress I serve as vice chairman of the committee chaired by Senator MCCLELLAN. In this capacity I have been accorded an excellent opportunity to discuss union activities with a multitude of rank-and-file members of organized labor as well as with honest and constructive leaders of the labor movement. These discussions have been carried on in the committee room; in my own office; and in other places. The problems which these good folks have brought to my attention have been varied and different—they have ranged from embezzlement of union funds to the deprivation of employment rights. However, in each case the fundamental source of the trouble, the primary causal condition, has been a deterioration of democratic practices in the conduct of union affairs. Compulsory unionism and, in some instances, monopolistic unionism has aggravated this deterioration.

We, the Members of Congress, have told our fellow citizens that we are going to do something in the 86th Congress to rid this Nation of the evils disclosed by the McClellan committee. We have announced to our constituents that the 86th Congress will secure the rights and protect the interests of the individual members of America's labor unions. Our people have listened with solemnity to these exhortations of their elected representatives. They have reacted in a manner consistent with our grand American tradition. The citizenry of this Nation has issued a mandate to Congress, commanding us to enact effective labor reform legislation. I am firmly convinced that we will have failed in this trust which is ours, if in enacting legislation we ignore the marked deterioration of democracy in American unions.

There is, in my opinion, no hope for eliminating the corruption disclosed by the McClellan committee without the earnest efforts of the union rank-and-file members whose dues support the union movement. They are in the best position to assess the scope and nature of the trouble; they have the greatest interest at stake. They have, I am confident, the intense desire to replace corruption and arrogant power with honesty and responsible leadership. S. 1002 is based on this fundamental confidence in the essential honesty of the rank and file and in their ability to right the wrongs, provided they are given the tools guaranteeing them the democratic right and the effective authority to participate in the administration of their own unions.

To thoroughly understand the intent and purpose of my legislative proposal, I think it is first essential to comprehend the conditions which make necessary the enactment by Congress of certain democratic procedures to be followed by labor unions in the conduct of their affairs.

The primary motivating condition which makes necessary such congressional action, is the marked lack of voluntarism in the organizing techniques of American unions today. Substantial numbers of dues-paying rank and file are not in the organized labor movement as a result of their own free will and volition. An even larger number, who desire organization, have been forced into unions to which they do not choose to belong. Free employee choice is being replaced by organization from the top. If there is any member of this committee that doubts the existence of this compulsory condition, I direct his attention to the 40-odd-volume record of the McClellan committee investigations. Case after case has been revealed where individual choice on the part of the workers was totally ignored in union organization.

The 45 employees of Donald Skaff, for example, who were eventually organized by Teamster Local 332 without a representation election. The 300 members of the Barbers Guild in New York City which were swallowed up by the Journeyman Barbers Union, with an assist by the Teamsters. The organization of the A & P grocery clerks by the Amalgamated Meat Cutters. These are only a few examples, but they are typical of the organizational techniques which have been revealed in over 2 years of investigations.

Certainly a portion of the responsibility for this unwholesome atmosphere is directly attributable to the nonfeasance of various employers. Unfortunately, too many have taken the path of least resistance, and have acceded to arrogant demands of certain power-hungry labor bosses. Their surrender has left their employees without a champion.

But, can we condemn too strongly the employer, who, faced with threats of boycotts, violence, strikes, or blackmail picketing, surrenders his employees to a wanton union official without a representation election? For the employer knows all too well the futility attached to opposition under our existing laws.

Federal laws deny him injunctive relief from the coercive and unlawful acts with which he has been threatened. Injunctive

relief in most instances can be ordered only after a decision on the merits—a decision which may be years in forthcoming.

Understandably few employers have the raw courage or the financial status to stand up to such irresponsible power. Few have the courage of Tom Coffey, the small Nebraska trucker, who valiantly defended the rights of free choice of his employees only to see his business destroyed. One could not help but admire this brave man as he grimly testified before the McClellan Committee, advising that he had never lost a case in court nor a representation election before the NLRB, but he had lost his business and his money.

In bringing these facts to your attention, it is not my intention to occasion a lengthy debate on the merits of voluntary unionism versus compulsory unionism. I have cited these facts to set the stage—to show the conditions that now exist.

I see no inclination in this Congress, as I saw none in the 85th Congress, to legislate with respect to coercive organization. This is the trap in which the union rank and file have been placed. Congress, through legislative fiat, is in large measure responsible for building the trap. Since Congress is apparently unwilling to relax the jaws of the trap, are we then not challenged by an incumbency to establish minimum guarantees of democracy within the confines of the trap? I think that we are. I earnestly believe that we must, by Congressional decree, establish within unions a framework of democracy, which will guarantee to every union member the right of unfettered self-expression in the selection of his leaders and in such vital economic matters as strike determinations.

It seems at this point that some of you might reasonably inquire, "Very well Senator MUNDT, we agree that democratic procedures should be established for union elections and strike authorizations, but does not S. 505 establish such guarantees and procedures?"

Let us see just what title III of S. 505 does provide. It requires that local union elections be held every 3 years and international elections be held every 4 years. It requires that a secret ballot be used and it forbids the use of dues money or employer-derived funds for the support of any candidate. The remainder of section 301 is a compound of worthy but totally ineffectual generalities about democracy in union elections. Exclusive of the three aforementioned requirements, I dare say, it would be virtually impossible to violate section 301.

These broadly phrased requirements and prohibitions are, from an evidentiary standpoint, just not susceptible to judicial proof.

Take for example the nominating requirements. S. 505 requires that, "A reasonable opportunity shall be given for the nomination of candidates." What is "a reasonable opportunity?" I can conceive of a number of sets of circumstances which might be determined by a court as "reasonable" due to the difficulty of proof. However, with clearly defined nominating provisions required in the law, these same circumstances could be easily proven to be patently abusive of individual rights.

Let us consider a union of 1,000 members with a quorum provision allowing official business to be conducted in the presence of 8 members—such provisions do exist. Or, even suppose it's a union with a quorum provision calling for 5 or 10 percent or some other minority percentage of the members to be present. The union secretary, representing the incumbent officers, either announces at a union meeting or posts on the union hall bulletin board a notice that nominations will be received at the next union meeting. The incumbent officers then get their cronies together and hold a closed nominating session at the next meeting. Certainly such practice must be recognized as discriminative but I doubt that in a court of law it could be shown to be less than "reasonable" under the general provisions of S. 505. In my opinion this bill, which has been reported by this subcommittee through lack of detail leaves many gapping loopholes for abuse by conniving and corrupt union officials.

S. 505 even fails to adequately advise union members of the date, time, and place of the officer election. At one point in subsection (c) of section 103 it provides for such notification, and then immediately follows this up with a restrictive proviso which eliminates notification if the electon date is specified in the union constitution. The elimination of direct notice to union members as to the date, time, and place of elections denies to them a privilege accorded by law to every corporation stockholder in America. Certainly for the benefit of the union member this subcommittee should require that notification be made mandatory by law, but I believe the procedure prescribed in S. 1002 is far preferable.

S. 505 is eloquently silent as to the standards which should be established to insure that strike authorizations are obtained by union officials in conformity with democratic practices.

This past week I received a letter from a member of the CIO Steelworkers Union at Pleasant Grove, Utah. This gentleman advised me that many of his coworkers, apprehensive over rumors of a forthcoming steel strike, are strongly in favor of Federal laws which will guarantee that strike votes are taken honestly and democratically. Why, he inquires, do our Senators and Congressmen not pass laws making democratic strike votes mandatory?

What should I say in reply to this man? Should I say, "Congress does not care whether such authorization is democratically obtained?" Or should I say, "Because of the perpetuation of a legalistic fantasy that labor unions are voluntary associations, Congress dare not intrude into the internal affairs of these unions?"

How much better if I could advise this union member, "Congress agrees with you that strike votes should be taken in an atmosphere of democracy and Congress intends to enact legislation which will guarantee that the union members determine whether to strike or not to strike."

S. 505 ignores this important feature of union activity, and in so doing fails to adequately secure the individual rights of union members.

You now know my reasons for proposing detailed, clearly defined, easily understood requirements for the democratic conduct of officer elections and strike authorizations. Let me now proceed briefly to describe the provisions and highlights of S. 1002 as they relate to these two important union activities.

S. 1002 sets forth in clearly defined terms the standards which must be established by all unions for the conduct of officer elections. Its provisions are, in my opinion, a vast improvement over the election requirements contained in S. 505 and S. 748, in that the requirements are clearly spelled out, leaving little room for conjecture or interpretation as to their true intent. Both S. 505 and S. 748 have chosen to employ the broad brush legislative approach in respect to election requirements. Such general provisions are immediately vulnerable to manipulation and contrivance by powerful union bosses or by those who are corrupt.

S. 1002 initially provides that union officer elections will be conducted at regular intervals, and that a secret ballot must be employed in all such elections.

S. 1002 provides a nominating procedure, employing a nomination petition, which must be signed by a minimum of 2 percent of the members in good standing as of the date which precedes by 120 days the date of the date of the election. A specific 60-day period is defined for the filing of nominations. The secretary of the labor organization is designated to receive the petitions, and he is required to acknowledge the receipt of such petitions by a signed statement provided to the nominee. This latter requirement protects against a dishonest secretary, who might otherwise be tempted to eliminate prospective candidates through destroying their nominating petitions.

When one investigates existing union governing documents, and finds unions with 1,000 or more members operating with quorum provisions requiring only 7 or 8 members to conduct official business, the need for a uniform nominating procedure becomes immediately apparent.

S. 1002 authorizes the secretary of the union to certify the eligible candidates for office based on the nominating petitions. He is then required to advise the union members by mail of the candidates so certified.

S. 1002 denies the right of candidacy to any individual who, at the time he seeks candidacy, is disenfranchised by the laws of his own State as a result of a criminal conviction. The record of the McClellan committee hearings should leave little question as to the need for inserting this prohibition.

I now come to that feature of my election requirements, which I feel will most effectively guarantee to union members that their elections are fairly and honestly conducted. This section, which appears at page 3 of S. 1002, provides for the creation of a representative membership committee. Members of this committee are designated in writing by the individual certified candidates for office. No individual can serve on this election committee if at the time of service that individual is an officer or employee of either the local or the international union, or if he is a candidate for office in the forthcoming election. This membership committee is granted exclusive authority for the supervision of the entire election, including the counting of the ballots and the certification of the results.

A committee so designated and so established will of necessity be representative of all the interests in contest in the election. The restrictions imposed on its membership limit materially the pressure which might be brought to bear on an election committee by a corrupt incumbent faction. Such an election committee will serve as a formidable guarantee to every union member that any irregularities which might occur in an officer election or delegate election will not occur unnoticed.

The McClellan committee files are replete with examples of dishonest and irregularly conducted unon elections. Any law enacted by Congress which purports to provide safeguards for union elections must, I think, specifically provide for the establishment of a truly representative election committee to supervise such elections and to assure an honest counting and reporting of these votes. Anything less than that would be a horrible hoax and a blatant fraud for both the public and the union membership.

In the event irregularities do occur in a union election, my bill contains an administrative and judicial procedure to be followed in determining the validity of such an election. This procedure is set in motion by the filing of a complaint signed by two percent of the union members with the Secretary of Labor, alleging that the election has been conducted in contravention of the requirements established by S. 1002. I propose

to amend this provision by making it possible for any one member of the membership committee to initiate the complaint procedure.

The Secretary will then initiate an investigation of such allegation. If the Secretary finds probable cause to believe the verity of the allegation and if the Secretary determines that the alleged violation has a substantial effect on the outcome of the election, he shall immediately bring a civil action against the labor organization, directing the conduct of a new election under the supervision of the Secretary of Labor.

S. 1002 vests in the Federal district court the authority to declare an election void and to order a new election to be conducted under the supervision of the Secretary of Labor, if on a preponderence of the evidence substantial irregularities are found to have occurred. An order issued by the court as a result of such proceedings shall be appealable in the same manner as the final judgment in a civil action, but an order directing an election shall not be stayed pending appeal.

Mr. Chairman, this administrative and judicial procedure provides an orderly course to be pursued in determining the validity of any contested union election, with full protection for the rights of all parties in interest under the United States Constitution.

So much for the election requirement, I will now proceed to a brief discussion of the protections included in S. 1002 with reference to strike authorization. In this matter S. 1002 is unique in that it is the only bill before Congress, within my knowledge, which establishes specific democratic procedures for conduct of a strike authorization.

I submit, it is important for all concerned (employees, employers, and the general public) that there is an assurance that every intelligent and honorable step has been taken to avoid a work stoppage and that a strike, when it finally shuts down an enterprise, is a true reflection of the democratic will of its labor force and has been ordered by them only as a last resort.

The need for a dependable secret ballot in the taking of a strike vote should be obvious to the membership of this committee, for you are familiar, I am certain, with current intraunion techniques of whipping up sentiment by means of union boss propaganda, of conducting the balloting in an atmosphere of ballyhoo and union hall mob hysteria in advance of negotiations, of leaving the administration and counting of ballots entirely in the hands of the union crowd. Balloting in such circumstances and under such conditions could well be an out-and-out farce and represent the very opposite of the democratic action the situation rightfully calls for. Indeed, many a strike has been called that has left the very workers involved in a state of utter bewilderment as to the true issues that brought it about. This encourages attempts at strike breaking and picket line violence, as well as offenses against both persons and property.

It seems essential, therefore, that Congress establish a pattern or procedure for the taking of a strike vote by secret ballot in such a manner as to insure that a strike when called is a true reflection of the will of the employees who are to participate in the strike. To this end S. 1002 would establish the following procedure for a democratic strike vote by secret ballot.

(1) No strike ballot will be taken until there have been 20 days of honest negotiation between labor and management followed by an additional 20-day explanatory period, in which the parties to the dispute will explain fully the issues at variance to the employees involved in the dispute.

(2) If a strike ballot is taken, it shall be conducted by a three-man election committee consisting of one member selected by the labor organization, one member selected by the employer and a third member selected by the two aforementioned members. If the employer fails to select a member within 5 days after request to do so has been submitted in writing by the labor organization, then the member will be selected by the NLRB.

If the member selected by the employer and the member selected by the labor organization are unable to agree within 5 days on the third member, said member will be selected by the NLRB.

(3) The three-man election committee will promptly prepare and distribute ballots by first-class mail to all employees in the bargaining unit involved in the labor dispute with appropriate instructions and envelopes to enable the employees to execute and return the ballots, addressed to a designated post office box accessible only to the election committee as a body. The return envelopes will be prepared in such a manner that the signature of the voter will appear on the outer envelope for the purpose of determining his eligibility to vote in the event of dispute, but it will not appear on his actual ballot so that he can vote in secrecy.

(4) The election committee will then process and count the ballots returned in such a manner that the identity of the individual casting a particular ballot will be unknown to the committee or to any other person. At the conclusion of tabulation, the election committee will then certify the results of the election to the parties to the dispute.

(5) If a majority of the employees voting in such election vote to authorize a strike, such strike may be ordered or authorized by the exclusive-bargaining unit involved, but only after expiration of a period of 20 days, during which the employer and the labor organization shall again have made all reasonable efforts to settle the dispute by collective bargaining.

I believe that this procedure will guarantee a fully secret ballot. It also would assure each union member that there would be no personal reprisal taken against him by either the employer or the union, since neither could possibly determine how he voted prior to sealing his ballot in the plain white envelope.

The original 20-day collective bargaining management, untroubled by the ever-present period would provide a relatively peaceful atmosphere for negotiation between labor and threat of a strike. The 20-day explanatory period prior to the strike vote will be of benefit to the employees, the employer, and the general public, but especially to the employees. It will allow a period of sufficient duration in which the employee may thoroughly inform himself on the issues in dispute and once informed he will have ample time to make a thoughtful, judicious, and independent determination as to whether he wishes or not to engage in a strike. The final 20-day period of collective bargaining, after a strike has been authorized by majority vote, provides an additional period for negotiated settlement, but a period in which the labor organization will have an opportunity to introduce into the collective bargaining proceedings their most powerful tool, the threat of an actual strike which has been properly authorized by vote of the union membership.

I firmly believe that this procedure which I have outlined will do much to encourage peaceful labor-management negotiations, and will eliminate a high percentage of the rashly called strikes, which bring such hardships to the employee and to the general public.

We all know that regulatory laws are ineffective without provisions which encourage obedience. A regulatory law without sanctions is like a watchdog without teeth. Therefore, with respect to the strike authorization provisions, S. 1002 includes two sanctions which I feel will effectively enforce obedience to the regulatory features. Disregard of or refusal to comply with its provisions will result in the disobedient union being denied access to the NLRB facilities and in losing its exempt status under section 501(a) of the Internal Revenue Code.

Mr. Chairman, and members of the committee, this Congress has a heavy responsibility to enact effective, objective, constructive labor reform legislation. I sincerely believe S. 1002 provides effective, objective, and constructive methods for eliminating the primary evils in the labor-management field which have been disclosed thus far by our Senate Select Committee To Investigate Improper Activities in the Labor-Management Field.

There are some who insist that this Congress do nothing—that we sit idly by and hope that these evils will cure themselves. There are some who insist upon repressive and punitive legislation which would punish good unions and honest, considerate labor leaders for the sins of those who throw their weight around and through either misuse of personal power or of union funds—or of both—deny to the dues-paying member his full rights and privileges as an American citizen entitled to govern himself and to determine his own destiny. And there are some who insist that we enact only such legislation as the union labor leaders themselves support, and rely upon it to correct the evils which have developed under existing union labor leadership. For myself, Mr. Chairman, I reject all three of these capitulations whether to prejudice, to power, or to the persuasions of expediency.

Without rancor in our hearts and without malice in our motives, this Congress can and should enact legislation which will restore and reenforce the rights and the responsibility of individual dues-paying rank and file union members to put the American trade union movement back on the high road of service to its membership rather than subjecting it to the pitfalls which come through submission to the coercive powers of bossism when they are present in the labor movement. I believe avidly in the good purpose, the good Americanism, and the good conscience of the vast majority of our American working men and women—whether they be in or out of the trade union movement. I believe that if Congress will provide these union rank and file members with a full set of tools by which they can reach their own decisions and then have them effectuated by action we shall see a prompt and wholesale cleanup of trade unionism in those areas where correction needs to come. I doubt that much, if any, subsequent legislation in this area would then be necessary, and the entire, agitated argument as to whether we should legislate on this subject in two packages or meet the challenge with a single package legislative approach would then be moot. If we fail to provide adequate procedures by which the members themselves can correct the prevailing evils, however, we must then seek and secure specific legislative provisions to meet specific problems and this would be the hard, slow, uncertain method of meeting our responsibilities.

At least, I believe, rank and file American union members deserve the chance to demonstrate what they can and will do once they are guaranteed the right and the procedures with which to deal with unscrupulous labor leaders who pervert the purpose of trade unionism by misusing the hard-earned dues money paid by the members or by establishing themselves as thought-control tyrants seeking to determine how dues-paying mem-

bers shall spend their money, plan their futures, conduct their work lives, and, in some instances, even cast their personal votes.

However, if we are to rely on the sound judgment and the good citizenship of rank and file trade union members to correct the unsavory conditions disclosed by the McClellan committee hearings, we must not hand them a spoon when it requires a spade to do the job. What is needed is a full set of man-sized democratic tools—not a tool kit stocked with kiddy tools and make-believe legislative toys.

Ultimate responsibility for the conduct of the union movement must be designated somewhere. Either in the hands of a Government department or agency where it will be slow and awkward in reaching a decision; or in the hands of the labor leaders where so much of it now rests and where some of it has been so badly abused; or in the hands of the dues-paying members fortified with the procedures for decision, and the power to act where I believe this Congress should have the courage, the candor, and the clear good judgment to put it. I urge you to support such legislation, and I feel an answer of this type is found in S. 1002, which I truly believe would become a genuine new bill of rights for American labor.

EMPTY FEARS AND THE COLUMBIA RIVER CORPORATION BILL

Mr. NEUBERGER. Mr. President, last December hearings were held in major cities of four Pacific Northwest States on legislation to amend the Bonneville Project Act so as to provide corporation-type management for Federal power operations in the Columbia River Basin. The hearings have aroused widespread comment in the region among persons concerned over shortcomings in the present procedures for planning, financing, and construction of Federal electric power facilities in the Columbia Basin and for wholesale marketing of energy in the region. To be sure, not all of the comments on the proposed self-financing power legislation have been affirmative. But I have been impressed by the strong support for our proposed amendments to the Bonneville Act from many sources.

In its issue of March 5, 1959, the editor of the Hood River News, of Hood River, Oreg., Mr. Robert C. Hall, has presented a thorough analysis of the corporation proposal. He has cut through some of the emotionalism and propaganda used by opponents of the legislation and has concluded that the proposed Bonneville Act amendments offer a plan for power resource advancement with all the same advantages, with so few of the disadvantages the present setup entails. I ask consent to have printed in the body of the RECORD the Hood River News editorial entitled "Why Are They Afraid?"

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

WHY ARE THEY AFRAID?

Horace Greeley once remarked that an editorial should never run longer than the editor's pencil. This week, we ignore this wise maxim to shed some light on one of the most roundly confused issues of the year—the proposal to form a Columbia River Development Association (CRDA).

We doubt that any issue of such vast significance to the entire Northwest has received such a bickering, snickering fear-ridden reception by all lovers of the status quo in power development—and that includes members of both the private and public power firms. Particularly sad has been the dogged opposition offered by the Northwest's private power interests.

Generally in agreement with these firms on their aims, we must note, with Bill Johnson, distinguished editor of the Lewiston (Idaho) Morning Tribune that the private firms "seem to be reverting to a pattern of propaganda we had hoped they had abandoned. Their furious, intemperate, irrelevant denunciation of this plan reflects a throwback to days better forgotten."

So let's forget the fears of what this bill is not designed to do or undo, the irrelevancies that you can argue all night long on any power measure. Let's talk about the plan, and what it is designed to do, as opposed to what present power development organization can do:

To get power and irrigation and flood control for the growth and development of our region, we must often have dams. These dams, it has been shown, must be built in a comprehensive, orderly manner for the most efficient use of water resources available from the Columbia River watershed.

A Columbia River Development Corp. has been proposed to supervise the construction of those dams, and the transmission and sale of power produced thereby.

Opponents call this plan dangerous, ominous, a Frankenstein corporation that would wrest control of our resources from the region, give it to disinterested, all-powerful czars whose sole concern is socialization of our power industry.

CRDC opponents say the plan is dangerous because it would give to a five-man board of directors the power to transmit and sell the power that comes from Federal dams built in the Northwest.

That's odd because that's exactly what Bonneville Power Administration does right now. And BPA, we might remind you, is run by non-Northwesterners, where CRDC, performing the same simple function that has worked so well through two wars, might be even more responsive to our needs through its regional directorship. Is that dangerous?

But CRDC would not only do that, it would build its own dams, which BPA couldn't do. This gives CRDC a monsterlike authority over who builds what dams where.

First, let's correct that error. The CRDC can't build dams. It can authorize new dam construction by other agencies, private, public, Federal. Now, if that is such a horrible vision, what must these people think of the present way you go about getting a dam authorized?

First you make application to the Federal Power Commission. Its members are seldom Northwesterners, are primarily politicians sensitive to the pressure of the current political year. And don't kid yourselves. FPC can quash a private application, turn it over to public ownership (or vice versa) as swiftly as any monster you ever saw.

Remember the Hells Canyon circus, the Pleasant Valley absurdity, the countless queer reversals of form by the FPC, all to satisfy political expediency, all making a farce of the "orderly development" concept we need so badly here? Again, would you rather have that, or a regional corporation, politically inclined, of course, but at least inclined to this area, since its members must by law be Northwesterners.

Well, opponents grouse, even if that were a fairer organization to approach for dam applications, it has even a more monstrous power. Even the FPC can't finance its own dams. The CRDC would be able to bankrupt us on a power building binge. There is one of the it-might-happen irrelevancies that only confuses the major issue.

Let's go back to the FPC. Assuming we do get our application past them (and too few private and public builders have been able to do so) what happens, under present law? You go to Congress. You wait a year before enough local Senators can get enough other Senators from other areas to trade a few votes and get the thing authorized. Whether or not the project is a valid one means nothing—it's politics pure and simple. The recent vote swapping for the Hells Canyon bill between Oregon's delegation and the civil right faction should engrave this bitter knowledge indelibly on all our minds.

But CRDC, with a Northwest directorship, can take an application, be it from P.P. & L., a Washington PUD, or the Corps of Engineers, and OK it as the best comprehensive plan for a particular dam, then get right to work and start financing the thing immediately. Which is better, CRDC way or the FPC-Congress approach?

And remember, even after Congress authorizes a dam, it can starve the project into worthlessness through its legal power to allot construction money on a yearly basis.

How many times has a dam, just to appease a Northwest Senator, been authorized by the Congress, then slowly bled to nothingness by later Congresses who have no interest or even knowledge of the dam's importance to us?

CRDC is bold, indeed. It is a new approach, yes. But it has this great advantage. It could grant application and then get the thing financed so we can get moving out here on our power needs.

Obviously, CRDC would have political problems. Who doesn't? Obviously, every application it grants will not be universally praised by all the emotional interest attached to the Columbia River. But how many have been so far?

What objection can be made to a corporation, a legal entity, formed by the five States who happen to worry a lot about who bosses their water rights? It takes over a sound, solid, workable system for getting power to the industries and consumers of the region—the Bonneville Power Administration. In addition, it brings to this organization and area the power of the FPC—to authorize new dams, new transmission facilities. Finally, it takes over one of the functions that formerly had to be assumed by an already overloaded Congress—arranging for the financing of those dams that require Federal funds.

It does all this with one neat 5-man directorship, headed by a general manager. All are appointed offices, just as are BPA and FPC officers. If you've got a power problem, you can go to the corporation. If you want to buy power, you go to the corporation. No matter what you want, you go to one regional organization, operating with the best interests of this region in mind.

Now it may be the opponents of this system are happy the way they are. It must be, or they wouldn't raise such a fuss. They must be happy beating their brains out trying to show the FPC how badly we need dams "way out West." It must be with great joy that they pay vast sums to lobby for a vote on another year's construction money for a vital Northwest dam or reclamation project. It must be with great delight that they run between BPA, the FPC, and Congress, hoping to get all to agree on a vital regional power problem. It must be fun. Why else would they fight a plan which offers them all the same advantages, with so few of the disadvantages the present setup entails?

PERIL IN ACCEPTABLE A-RADIATION

Mr. CHURCH. Mr. President, in the Washington Post and Times Herald of this morning, there was published an article by staff reporter Edward Gamarekian, in which he pointed out that the American people are being led to believe erroneously that foods with less than the maximum permissible concentration of radioactivity are not dangerous. Mr. Gamarekian has invited attention to the fact that the Public Health Service Advisory Committee on Radiation has cast a serious cloud upon the validity of the terms being used to reassure the public about the permissible limits in the human body for stronium 90 and other radioactive products.

Mr. Gamarekian quotes the Chairman of the Advisory Committee, Dr. Russell H. Morgan, a radiology professor at Johns Hopkins University, as saying there is ample evidence there is no safe level and that biological effects begin above zero.

Mr. President, I do not believe the American people are being reassured. The American people share the uneasiness in the world about atomic pollution of the atmosphere, notwithstanding attempts to soothe them.

Mr. President, this exposed nerve will not be deadened by ready reassurance. We must continue our efforts to get an agreement to halt this pollution of the atmosphere, subject to a workable and trustworthy inspection system.

The proposal I recently made for a last resort effort to reach such an agreement at Geneva has been ably recognized by the distinguished Director of the Washington Bureau of the News Week magazine, Ernest K. Lindley, who, in his column entitled "Washington Tides," of the current issue of March 16, 1959, writes about "Atom-free Air?"

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. CHURCH. I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, with the permission of the distinguished Senator from Idaho, I should like to have the privilege of having printed in the RECORD the article written by Ernest K. Lindley, which has just been referred to by the distinguished Senator from Idaho, relating to the matter of testing.

I should like to read the last paragraph of the column, which is:

> The CHURCH approach takes account of all the chief elements in a complex problem: Worldwide anxiety about pollution of the atmosphere, Russian objections and the need to test their sincerity, our own security. It would also give us the diplomatic offensive, not just in a propaganda way, but through a solid proposal.

Mr. President, I ask unanimous consent, with the consent of the Senator from Idaho, that the column may be printed in the RECORD at the conclusion of the Senator's remarks.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

(See exhibit 1.)

Mr. CHURCH. Mr. President, I am honored to have the distinguished Senator from Montana take the interest he has shown. I thank the Senator very much.

Mr. President, I ask unanimous consent that in addition to the Lindley article, which the distinguished Senator has asked to have printed in the RECORD, there also be printed in the RECORD an article from the Washington Post and Times Herald of this morning, written by Edward Gamarekian, entitled "Peril in Acceptable A-Radiation."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

PERIL IN ACCEPTABLE A-RADIATION

(By Edward Gamarekian)

The American people are led to believe, erroneously, that foods with less than the "maximum permissible concentration" of radioactivity are not dangerous.

Estimates in scientific publications show, however, that if the strontium 90 alone reaches the permissible limit in the human body, it may increase the incidence of leukemia by more than 20 percent—2,600 more cases a year on top of the present annual rate of 11,400.

The effect of strontium 90 and other radioactive atomic products on the incidence of other diseases would be added to this toll.

Although the Atomic Energy Commission and the other agencies involved cannot be charged with concealing these figures, they have made virtually no attempt to make them generally known to the public.

CLIMB EFFECT MINIMIZED

Instead, they have used such expressions as "acceptable," "negligible," "protective," and "statistically unobservable" when the levels of radioactivity climbed in milk, wheat, vegetables, and other foods.

They have pointed out that the permissible concentration of strontium 90 in the bones would produce only about twice the amount of natural radiation that comes from cosmic rays, uranium in the soil, and so on.

Humans have got used to this level, they argue, but they neglect to point out that 10 percent, and perhaps more, of the number of new leukemia cases each year are attributed to the background or natural radiation.

The maximum permissible concentrations, or MPC's, are recommendations set by the International and U.S. Committees on Radiation Protection. These committees have just revised their handbook of MPC's for the various end products of atomic reactions.

HANDBOOK QUOTED

Although the new values have not yet been released, they are reported to be close to the present ones. The following statement was quoted from the new handbook during the current hearings before the Congressional Joint Committee on Atomic Energy:

"The permissible dose for an individual is that dose * * * which in the light of present knowledge carries a negligible probability of severe somatic or genetic injuries.

"Furthermore, it is such a dose that any effects that ensue more frequently are limited to those of a minor nature that would not be considered unacceptable by the exposed individual and by competent medical authorities."

The words "negligible" and "unacceptable" depend, of course, on the user.

When AEC Commissioner Willard F. Libby testified before the Joint Committee a few weeks ago on the radioactivity of Minnesota wheat, he referred to the MPC's as "levels which are generally acceptable for a steady diet."

DECLARED WORTHLESS

Even the Public Health Service has indicated everything was all right by stating that the MPC's listed were "for the protection of the general public."

Two days ago, however, the Chairman of the Advisory Committee on Radiation of the PHS lowered the boom, declaring the MPC's worthless, meaningless, and "based on something other than scientific fact."

"Nowhere is there a concerted effort being made to obtain sound scientific data to obtain answers to the problems," he went on. "It is questionable whether we can continue long in this framework." He indicated the Public Health Service would seek to set up an integrated system of measurement and control, taking this function out of the Atomic Energy Commission.

The Advisory Committee Chairman, Russell H. Morgan, is a radiology professor at Johns Hopkins University and the radiologist in chief at the Johns Hopkins Hospital.

Morgan blasted the theories being put forth by some scientists on the existence of a safe threshold below which there are no radiation effects.

"There is ample evidence that there is no safe level," he said, "and that biological effects begin above zero."

EXHIBIT 1

WASHINGTON TIDES: ATOM-FREE AIR?

(By Ernest K. Lindley)

A sensible way to try to break the deadlock with the Soviets over suspension of nuclear tests have been proposed by Senator FRANK CHURCH, of Idaho. He would seek an agreement solely on supsension of tests in the earth's atmosphere. He would postpone efforts to reach agreement on suspension of tests underground, underwater, and in outer space.

The CHURCH proposal would greatly simplify the problem of inspection, thus going far toward meeting Soviet objections to the present U.S.-British plan. At the same time it would halt contamination of the air, the rising peril which has been primarily responsible for the worldwide clamor for a test ban. There is no fallout from tests deep underground nor would there be from tests in outer space.

The inspection and control system on which the nuclear powers are deadlocked at Geneva is supposed to detect explosions beneath the earth's surface as well as in its atmosphere. (Detection in outer space has not yet been tackled.) Agreement on the number and types of fixed inspection stations necessary for this double purpose was reached at the earlier conference of technicians. But, in addition, in the U.S.-British view, the inspectors must be free to move immediately to the spot of any explosion or tremor. This is because of possible difficulties in distinguishing at a distance between an atomic underground blast and an earthquake.

SPY-SCARY

The Russians have put up two barriers to the operation of such a system. First, they insist that inspection teams inside the U.S.S.R. be dominated by Soviet citizens. This would amount to self-inspection, in which nobody outside the Soviet Union would have confidence. Secondly, they insist on a veto in the control commission. This would enable them to prevent inspection on the spot of suspicious tremors. Khrushchev alleges that the U.S.-British purpose is to gather intelligence—that is, to set up a freewheeling spy system—throughout the Soviet Union.

An inspection system solely for shots in the air could be much simpler and less ex-

tensive. The more powerful shots can be detected by existing monitoring systems on each side. The Soviets might insist that nothing more is needed. Senator GORE implied that no special system would be needed when he proposed that we unilaterally suspend aerial tests for 3 years. I am informed, however, that a fully reliable detection system—the only kind worth having—would require a few fixed stations inside each area in which weapons are tested, perhaps as many as 10 in the U.S.S.R. There would be relatively little need for mobile inspection teams.

The CHURCH approach would cut the ground from under the Soviet contention that we are trying to set up a freewheeling intelligence system inside the U.S.S.R. Nevertheless, it would show whether the Soviets are willing to accept any international inspection. If they are, then perhaps later they will accept more, and some progress can be made toward arms control. If they are not, their bad faith will be exposed.

TWO BITES

There are further reasons for deferring negotiations on suspension of underground shots. The Atomic Energy Commission has concluded, from its October tests, that detecting these shots may be much harder than was supposed when the technicians worked out their plan at Geneva last summer. It believes that more tests, in different geological formations, are necessary to furnish the data for a foolproof system. As a result, it unanimously suggested to the State Department in January essentially the same "two-bite" approach that CHURCH has now publicly proposed. Secondly, weapons testing would not be brought to a complete halt. This is important if for no other reason than to prevent the premature and possibly calamitous disbandment of our teams of scientists and technicians working on weapons.

The CHURCH approach takes account of all the chief elements in a complex problem: Worldwide anxiety about pollution of the atmosphere, Russian objections and the need to test their sincerity, our own security. It would also give us the diplomatic offensive, not just in a propaganda way, but through a solid proposal.

HOUSING FOR SERVICEMEN

Mr. MURRAY. Mr. President, in my State of Montana and in several other States there is an acute shortage of decent housing for servicemen and their families. Recently the Senator from Montana [Mr. MANSFIELD] and I invited attention to the dire need at Glasgow Air Force Base and Malmstrom Air Force Base in Montana. At Glasgow Air Force Base the situation is so critical that new personnel being assigned to the base are advised to leave their families at home.

In cooperation with our colleague, Representative LEROY ANDERSON, who represents the constituency which includes the Glasgow and Malmstrom bases, we are presenting full information on the critical housing shortage to both Senate and House Armed Services Committees.

The March 1959 issue of Air Force magazine carries an editorial entitled "Housing," which describes the housing shortage in Montana, Michigan, North Dakota, and Ohio.

I should like to quote to the Senate two paragraphs from this editorial:

While Glasgow is more isolated than the other bases we visited, the general picture is about the same at all. Available local housing, except for a fortunate few, is either substandard, too expensive, too far away, or a combination of all three.

We as a nation could do much for our safety, and help the State of our conscience as well, if we would accept the responsibility of providing homes for the men who are defending us. Moving the sergeant's living room close to his airplane may keep Russian boots out of our own.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD, immediately following these remarks, the entire editorial from Air Force magazine.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

HOUSING

There used to be a phrase to describe a man who had decided to make a career of the military service. We said, "He found a home in the Air Force." Or the Army. Or the Navy.

For a single man this might still be valid. But for the serviceman who wishes to exercise his God-given right to marry and raise a family in decent surroundings it's still a long way from being true. Adequate family housing is still the exception, rather than the rule. And there's no excuse for it. The amount of money involved is minute, compared to the vast sums ticketed for weapons, and the serviceman actually pays for it himself.

There are two reasons why the shortage of homes for Air Force families is not only foolish but dangerous. One is based on the military fact of life that the finest weapon systems in the world are but lifeless hunks of metal until they are vitalized by the brains and hands of men—men who are on the spot when needed, not in some shack an hour's drive or more away. The second reason is fiscal—that it makes little sense to invest half a billion dollars or more in a base and its weapons, with careful provision for the housing of aircraft, trucks, and typewriters, yet fail to risk the 2 percent or so additional that it would cost to house the high-priced men who man this costly gear.

Only recently I left Washington—with its buzzing talk of missile gaps, multi-billion-dollar budgets, and space capsules—to get a firsthand look at why the Air Force desperately needs more homes for its families. I returned convinced that family housing, at the type of base I visited at least, is as much a part of the operational requirement, of the great deterrent if you will, as intercontinental ballistic missiles, hydrogen warheads, or supersonic interceptors.

We visited a segment of the so-called northern tier of bases, some still under construction. With a few exceptions, this northern tier was originally programed to serve the Air Defense Command mission, housing SAGE installations and fighter-interceptor units to stop air attacks coming over the short and inviting polar route to the heartland of the United States. Even before some of the bases were completed, new programs threw on them the additional burden of housing bomber and tanker units of the Strategic Air Command, as part of SAC's policy of dispersing its units and thereby multiplying the number of targets the Soviets would have to take out in an initial attack.

This combination of missions—defense and attack—makes this northern chain of high strategic importance indeed. As of this writing, the very survival of this Nation depends on how well they can do their job.

What does family housing have to do with all this? Plenty. Right now it is by far the weakest link in this all-important chain. At these bases and many others it is an integral part of the operational requirement, part of what it takes to get the job done, not just something nice to do for the boys.

On our northern swing we visited Kinross Air Force Base, 20 miles through the evergreen forests from Sault Ste. Marie, in Upper Michigan; Grand Forks and Minot Air Force Bases, near the cities of the same names in North Dakota; Glasgow Air Force Base, Mont., Malmstrom Air Force Base, outside Great Falls, Mont., with a stop at Wright-Patterson Air Force Base, Dayton, Ohio, where SAC and ADC missions have been superimposed on the great complex of Headquarters, Air Materiel Command.

At each the problem was basically the same. The Air Defense Command operational requirement calls for its alert personnel to live not more than 5 miles or 10 minutes from their duty station. SAC gives its people a little more time—10 miles or 20 minutes. At none of the bases visited was housing available off the base that met these time-distance criteria for more than a handful of people. And in some cases, not even for the handful.

Take the most dramatic example, Glasgow, scheduled, when completed, to house McDonnell F–101B interceptors for ADC and Boeing B–52 bombers and KC–135 tankers for SAC. By June 1962 it will have a complement of about 3,500 uniformed personnel and 300 civilian employees. Glasgow, Mont., population generously estimated at about 7,000 (last census showed 3,821), is the nearest town of any size, and it is 20 miles away by a narrow, two-lane highway. On the half-hour ride into town we passed three farmhouses.

When the base is fully manned, it is estimated that almost 1,400 officers and airmen in the upper grades (the only ones now eligible by law for on-base housing) will need homes for their families. In addition, Air Force experience factors indicate that almost 600 airmen in the lower grades will want to bring their families to Glasgow.

Where will they live? On base now are 267 family housing units, built by the Army's Corps of Engineers under the military construction program by direct appropriation at an average cost of $20,100 apiece. These are no bargain even at the high construction costs prevalent in the area. A SAC first sergeant told me of a day when the temperature was an even zero, with a 40-knot wind. He turned up the thermostat full blast but couldn't coax the temperature in his living room above 60 degrees.

Some 460 additional units are being built on the base under provisions of the Capehart-Rains Act (more on this later) with another 300 units hoped for but not yet approved. At best this adds up to 1,027 units, leaving a balance of nearly 1,000 families who will be unhoused.

According to the theory of the Department of Defense, which must approve Air Force housing programs, this balance must be ascribed by the local community. At Glasgow this is about like trying to stuff 6 pounds of sand into a 5-pound bag. The civic leaders there are sympathetic and want to be helpful, but there is little they can do.

We chatted with them over coffee and cookies in a downtown cafe—the mayor, the president of the chamber of commerce, the bank president, the newspaper publisher, the superintendent of schools, the chairman of the housing committee. The latter, Mr. O. H. Bundy, explained this situation. Available local capital is just about enough to finance the normal expansion of the town—50 to 60 family housing units per year. There is little or no hope of building privately financed rental housing on a speculative basis. When the base was first

planned, for Air Defense Command units only, the town figured it could muddle through somehow. But when the SAC units were programed in, as Mr. Bundy put it, "we got a bigger package than we bought."

And if, in a burst of wild optimism, one imagined that housing might become available overnight in Glasgow, it is still 20 miles and at least half an hour's driving time away under ideal weather conditions.

The only rational solution is to build housing on the base under title VIII of the National Housing Act, called the Capehart-Rains law from the Senator and Representative who cosponsored it. Briefly, the Capehart-Rains law calls for housing to be built, under private contract with the lowest bidder, with the mortgage insured by the Federal Housing Administration and payment guaranteed by the military services. The contractor must obtain his own financing and the mortgage payments are made from the rental allowances of the officers and airmen involved. The Government is not out of pocket unless the base is later closed, in which case it is holding the bag for an infinitely larger investment in the base facilities.

At the moment there are several reasons why this is only a partial answer. First of all, the Capehart-Rains law expires at the end of the current fiscal year (June 30). It must be extended and probably will be by a friendly Congress. Second, current policies of the Department of Defense place a ceiling for onbase housing of 55 percent of the requirement at an overage base and 75 percent at remote places like Glasgow—the balance to be absorbed by the local community.

What happens when the local community can't absorb this balance—or when there isn't even a local community within the time-distance criteria—is a question which the Defense Department answers with a figurative shrug.

Third, even a hundred percent fulfillment of the authorized requirement through Capehart-Rains housing leaves unanswered the problem of shelter for the families of married airmen of the four lower grades. These, while granted modest housing allowances, are presently not entitled to housing even on bases where it might be available. They must turn to local community resources, and the fact that their rental allowances are not high—in the $60 to $75 range—means that it isn't economically practical to build speculative rental housing for them. In most cases, they must leave their families somewhere else.

At some bases a partial solution is found in a provision of the law which permits the Government to buy Wherry Act housing (built several years ago under different legislation) and renovate and remodel them. Unfortunately, Wherry housing, while it was welcome relief at the time it was built, was constructed under a price ceiling of $11,000 per unit and after 5 years or so of occupancy much of it is marginal. And funds for rehabilitation have been forthcoming in only a few instances.

While Glasgow is more isolated than the other bases we visited, the general picture is about the same at all. Available local housing, except for a fortunate few, is either substandard, too expensive, too far away, or a combination of all three. At Minot I talked with an airman first class with 10 years' service. He has five daughters. The baby shares a bedroom with him and his wife. The other four girls are crammed into another bedroom. At Great Falls the wife of a lieutenant colonel with almost 20 years' service told me they were anxiously waiting for their Capehart-Rains house to be finished.

"We go over and look at it every time we get a minute," she said. "It will be the first chance we've had to live like a colonel's family should be able to."

By July 1962, 1,100 families will need housing at Kinross AFB, Mich., 1,500 at Grand Forks, another 1,500 at Minot, 1,700 at Malmstrom. And so it goes.

Action is urgently required. While we accelerate our missile programs and make grand plans to put man into space, we must remember that even a spaceman has to come down sometime, and when he does he'd like to have a decent home to head for.

What kind of action?

1. Extension of the present Capehart-Rains law, with improvements if possible.

2. Legislation to make permanent the present quarters allowances for airmen in the four lower grades. The present allowances are a temporary measure, enacted to ease the financial burden for men recalled to duty in the Korean war. If the allowances were made permanent, then onbase housing could be programed for these men.

3. Substandard, overpriced housing in adjacent communities must not be counted as an asset when programing housing needs.

4. Where the local community cannot provide adequate rental housing commensurate with quarters allowances, the Department of Defense ceiling for Capehart-Rains housing should be raised from 75 to 90 percent. (One hundred percent is not realistic since one simply cannot program that closely. The number of married men with families assigned to a given base will vary from the averages for the Air Force as a whole.)

5. Consideration of the housing problem on an individual basis, judging each base in terms of mission and location rather than clinging to unrealistic blanket criteria.

Of the above factors, most crucial is a change of heart on the part of a hitherto adamant Department of Defense. This year it cut a proposed 20,000-unit program for the Air Force down to 8,000 units, and thus far it has stubbornly resisted attempts to raise the ceiling at remote installations. One might almost think that the housing money was coming out of the personal funds of Defense officials, rather than out of the pockets of the airmen themselves.

One way to improve the present Capehart-Rains arrangement would be to adjust the cost limits so as to reflect varying construction costs in various parts of the country. The present law says that the average cost per unit in a Capehart-Rains project cannot be above $16,500. This means that in high-cost areas, like the northern tier bases, the $16,500 buys a minimum of house, since a big chunk must go for heating units, insulation, basements, and the general high cost of shipping in materials from long distances. On the other hand, the same amount of money in Florida buys a good deal more.

Another improvement would be to set aside, where possible, a little of the Capehart-Rains money to be spent on the kind of facilities provided by the average community—playgrounds, baseball diamonds, tennis courts, a community building for youth activities.

More than a hundred years ago an Englishman named Sydney Smith wrote:

"A comfortable house is a great source of happiness. It ranks immediately after health and a good conscience."

We as a Nation could do much for our safety, and help the state of our conscience as well, if we would accept the responsibility of providing homes for the men who are defending us. Moving the sergeant's living room close to his airplane may keep Russian boots out of our own.

Mr. JOHNSON of Texas. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS—CEREMONIES IN THE RECEPTION ROOM

Mr. JOHNSON of Texas. After the ceremonies in the Reception Room the Senate will reassemble. I invite my colleagues to join us in the Senate Reception Room.

The VICE PRESIDENT. Under the order previously entered the Senate will now stand in recess subject to the call of the Chair.

Thereupon, at 12:40 p.m., the Senate took a recess subject to the call of the Chair.

The Senators proceeded to the Reception Room of the Senate.

RESUMPTION OF LEGISLATIVE SESSION

On the conclusion of the ceremonies in the Reception Room at 1 o'clock and 43 minutes p.m., the Senate reassembled when called to order by the Presiding Officer (Mr. BIBLE in the chair).

PRINTING OF PROCEEDINGS AT UNVEILING OF PORTRAITS OF FIVE OUTSTANDING SENATORS

Mr. HAYDEN. Mr. President, I ask unanimous consent that there be printed in the RECORD of today the report of the proceedings earlier in the day in the Reception Room of the Senate at the unveiling of the portraits of the five outstanding Senators who were today honored.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

Mr. HAYDEN. I also ask unanimous consent that the proceedings be printed as a Senate document, with illustrations, notwithstanding the rule of the Joint Committee on Printing, which I am sure will be abrogated in this instance.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Arizona? The Chair hears none, and it is so ordered.

The transcript ordered to be printed in the RECORD and as a Senate document is as follows:

PROCEEDINGS ON THURSDAY, MARCH 12, 1959, 12:40 P.M., IN THE SENATE RECEPTION ROOM OF THE UNITED STATES CAPITOL, WASHINGTON, D.C., ON THE OCCASION OF THE UNVEILING OF THE PORTRAITS OF FIVE OUTSTANDING SENATORS: HENRY CLAY, OF KENTUCKY; DANIEL WEBSTER, OF MASSACHUSETTS; JOHN C. CALHOUN, OF SOUTH CAROLINA; ROBERT M. LA FOLLETTE, SR., OF WISCONSIN; ROBERT A. TAFT, OF OHIO

The PRESIDENT pro tempore (Mr. HAYDEN). Mr. Vice President, my col-

leagues in the Senate, and distinguished guests, if the audience will please rise and come to order, the Reverend Frederick Brown Harris, Chaplain of the Senate, will deliver the invocation.

INVOCATION

The Reverend Frederick Brown Harris, Chaplain of the Senate, delivered the following invocation:

Our Father God, in this shrine of each patriot's devotion we come this day to fulfill the ancient admonition, "Let us now praise famous men, such as did bare rule, men renowned for their power, giving counsel by their understanding—leaders of the people by their wisdom. rich in their ability, honored in their generation, and who were the glory of their times."

In this high hour, as the likeness of national leaders who have stamped their image and superscription on the life of the Republic are unveiled for a perpetual remembrance, in this monumental edifice where their voices were heard, may we here be dedicated to the national tasks they left unfinished.

Through these windows of history to our grateful eyes is unrolled a panorama of this Nation which under Thee has held aloft the torch of a liberty which enlightens the world.

May these pictured lips speak to the endless procession of legislators and visitors within the gates of the Capitol words of inspiration, of caution, of loyalty, of devotion, and of defense to the death for all that is wrapped up in that radiant phrase, "the American dream."

As we emulate those who are here set up as a beacon light of a Nation's faith, save us from the fear and hate which are the tyrant's bitter harvest, and from the scorn of coming generations should we be recreant to our trust.

As we—their successors—face the cause of the Republic in a turbulent day, preserving the goodly heritage they have bequeathed, may these statesmen of other days who here stand guard at the very portals of a Chamber of Governance be inspiring symbols of that cloud of witnesses, out of heroic yesterdays, by which we are surrounded in these latter days of decision and destiny.

We ask it in the name of the Master of all good workmen. Amen.

INTRODUCTORY REMARKS BY SENATOR HAYDEN

The PRESIDENT pro tempore. Unfortunately, the hospitalization of Senator THOMAS C. HENNINGS, JR., chairman of the Senate Committee on Rules and Administration, makes it impossible for him to be with us today, and he has asked me to preside in his stead. Senator HENNINGS has forwarded to me a brief statement, which I now read:

I regret exceedingly that ill health prevents my attendance at the proceedings honoring the five outstanding Senators whose portraits are being unveiled in the Senate Reception Room today. It was a high honor for the members of the Senate Committee on Rules and Administration to approve the five paintings which will soon be displayed and to arrange these fitting ceremonies to memorialize these great statesmen who served their States and their Nation with unique distinction in the U.S. Senate. Their portraits enshrined here in our midst will serve as constant reminders of their loyal stewardship and our rich heritage.

It is a great privilege for me to preside at these historic ceremonies. We are gathered to pay homage to five great Americans whose portraits now grace the five medallions on the walls around us.

The names Henry Clay, Daniel Webster, John C. Calhoun, Robert M. La Follette, Sr., and Robert A. Taft, are known and revered throughout our Nation and the free world. By dedicated public service and unstinted patriotism each of these illustrious former Senators has, in his turn, made profound contributions to our democratic way of life. I shall leave more specific tributes to the able speakers who follow on the program.

At this time I should like to identify some of the distinguished guests in our audience and ask that they stand and be welcomed.

First, the three members of the Commission who supervised the accomplishment of the paintings:

David E. Finley, Chairman, Commission of Fine Arts, as Chairman. [Applause.]

John Walker, Director, National Gallery of Art. [Applause.]

The remaining member of the Commission, J. George Stewart, Architect of the Capitol, had planned to be with us, but is now confined to his home by illness.

Next, the artists whose works we are about to view:

Mr. Allyn Cox, who created the likeness of Senator Henry Clay. [Applause.]

Mr. Adrian Lamb, who created the likeness of Senator Daniel Webster. [Applause.]

Mr. Arthur Conrad, who created the likeness of Senator John C. Calhoun. [Applause.]

Mr. Chester La Follette, who created the likeness of Senator Robert M. La Follette, Sr. [Applause.]

Mr. Deane Keller, the remaining artist, who created the likeness of Senator Robert A. Taft, sent his deep regrets that he is unable to join with us today. He is represented, however, by his sister, Miss Caroline Keller. [Applause.]

We are also honored in having with us today:

Miss Henrietta Clay, great-granddaughter of Henry Clay. [Applause.]

Mr. John C. Calhoun, great-grandson of John C. Calhoun. [Applause.]

Mr. Allston D. Calhoun, great-great nephew of John C. Calhoun. [Applause.]

Miss Fola La Follette and Miss Mary La Follette, daughters of Robert M. La Follette, Sr., and sisters of Senator Robert M. La Follette, Jr. [Applause.]

Mr. William Howard Taft III, son of Robert A. Taft. [Applause.]

In addition, we are privileged to have with us Mr. Holmes Alexander, the author of the book entitled "The Famous Five," whose volume was inspired by the Senate action which we today consummate. [Applause.]

ADDRESS BY THE VICE PRESIDENT

Our first speaker is the President of the Senate, Vice President NIXON, who has himself served as a Member of the Senate. He will speak to us on the historical significance of the occasion. I am pleased to present the Vice President of the United States. [Applause.]

The VICE PRESIDENT. Senator HAYDEN, my colleagues in the Senate, our distinguished visitors, and guests, this is one of the proudest days in the history of the Senate, because we honor not only five heroic figures who served in the Senate, but at the same time we honor the hundreds of others throughout the years who have borne the proud title of U.S. Senator.

In speaking of the historic significance of this occasion, I recognize that those who will follow me will refer to the lives of the five men whose portraits are about to be unveiled. It occurred to me that it would be appropriate for me to refer to the Senate itself and the free institutions of which it is one of the most outstanding symbols.

I do not need to tell this audience that 180 years ago there were grave doubts in many parts of the world—and even in our new, young country itself—as to whether the American experiment in free government would work. Those doubts existed not only because of the military weakness of the Nation at that time, the diversity of its population, and all the other manifold problems which necessarily confronted a country embarking upon self-government. They existed also because it was felt in many quarters that the form of government which the people of the United States had adopted as their own gave to men too much freedom, and gave to a body, such as the Senate of the United States, for example, too much influence in the Government—too much control of Executive decisions, particularly in matters of foreign policy.

We often hear that ours is a government of laws rather than of men. Certainly this is true. But, we also know that the most perfect law, the most perfect constitution, the most perfect rules of procedure may not be successful in operation unless there are men who are adequate to the tasks to which they are assigned. This is especially true of the Senate of the United States, because in the Senate great freedom is provided for debate and for criticism of the Government's policies, foreign and domestic. The very fact that throughout the years this freedom has prevailed, but, nevertheless, has been used with such restraint that America in its relations with foreign countries has always presented a united front, is indeed a tribute not only to the system, not merely to these five men, but, also to the men and women of all parties who throughout 180 years have served in the U.S. Senate.

In speaking of the historic significance of this occasion, I might add that the unveiling of the portraits today is the culmination of a movement which may

have begun 89 years ago. In 1870 a Senator from the State of Vermont, Senator Morrill, wrote to the Architect of the Capitol, suggesting that an artist be commissioned to paint some portraits to be placed in the five areas in which these portraits will be hung today. No action was taken. Or should I say that the Senate acted in its usual, very deliberate way? [Laughter.]

However, I think we will all agree that after 89 years the decision which has been made—a decision of which Senator KENNEDY will speak—is one in which we could not find greater agreement. As visitors from all over the world and from our own country come into this Reception Room—particularly the schoolchildren who pass through here by the thousands in the vacation and summer periods—and as the Members of the Senate visit this room, they will see the portraits of these great heroic figures who, in large part, made the history of the Senate and contributed so much to the history of the United States. They will be inspired to render unselfish, dedicated service to their country and to the cause of peace and freedom, for which the Senate and the Government of the United States so proudly stand.

I am honored, as the President of the Senate, to participate in this ceremony and to congratulate the members of the committee and the Members of the Senate who had the foresight and the vision to plan this use of the Reception Room so that throughout the years it will be possible for the people of the United States who come here to be reminded of the history and, moreover, the great destiny of our country. [Applause.]

The PRESIDENT pro tempore. During the 1st session of the 84th Congress the Senate adopted a resolution which reads, in part, as follows:

Whereas the Reception Room in the Capitol outside the Senate Chamber was originally designed to contain medallion likenesses of outstanding Americans; and

Whereas there are at present five unfilled spaces in the Senate Reception Room for such medallions; and

Whereas it is in the public interest to accomplish the original objective of the design of the Senate Reception Room without further delay: Therefore be it

Resolved, That there is hereby established a Special Committee on the Senate Reception Room, consisting of five Members of the Senate to be appointed by the President of the Senate, one of whom shall, at the time of appointment, be designated as chairman of the committee * * *.

It shall be the duty of the committee to select five outstanding persons from among all persons, but not a living person, who have served as Members of the Senate since the formation of the Government of the United States, whose paintings shall be placed in the five unfilled spaces in the Senate reception room.

ADDRESS BY SENATOR KENNEDY

The PRESIDENT pro tempore. The first speaker I shall present served as chairman of the special committee provided by the resolution I have just read. He and the other eminent members of the committee deserve our special gratitude for the thoroughness of their study and the wisdom of their choices.

Ladies and gentlemen, Senator JOHN F. KENNEDY, of Massachusetts. [Applause.]

Senator KENNEDY. Senator HAYDEN, Members of the Senate, ladies, and gentlemen, this historic occasion brings to mind the warning given to me during my service as chairman of the committee selecting these Senators by the distinguished historian Samuel Flagg Bemis. He told me that another large portrait of Daniel Webster graced the anteroom of the Secretary of State, as one of the outstanding occupants of that office—but that, after Mr. Bemis' book documented Webster's laxity in certain financial matters, the portrait suddenly and mysteriously disappeared, apparently condemned to a more obscure spot elsewhere in the department. [Laughter.]

I hope that no Senator, now or in the future, will demand that any of these five portraits be removed. But neither should Senators be under any illusion that these are five noncontroversial choices. We are more familiar with the controversies which surrounded Taft and La Follette. But let us also remember that it was said of Henry Clay that "he prefers the specious to the solid, and the plausible to the true. He is a bad man, an imposter, a creater of wicked schemes." Those words were spoken by John C. Calhoun. [Laughter.]

On the other hand, who was it who said that Calhoun was a rigid fanatic, ambitious, selfishly partisan and sectional "turncoat", with "too much genius and too little common sense," who would either die a traitor or a madman? Henry Clay, of course. [Laughter.] When Calhoun boasted in debate that he had been Clay's political master, Clay retorted: "Sir, I would not own him as a slave." Both Clay and Calhoun from time to time fought with Webster; and from the other House, the articulate John Quincy Adams, with old-fashioned New England courtesy, viewed with alarm "the gigantic intellect, the envious temper, the ravenous ambition and the rotten heart of Daniel Webster." [Laughter.]

Nevertheless, recognizing the controversies that surrounded these names, and recognizing that no group of either Senators or historians would necessarily reach the same conclusions, it is a source of satisfaction to the special committee—composed of Senator Richard B. Russell, of Georgia; Senator Styles Bridges of New Hampshire; Senator Mike Mansfield, of Montana; former Senator John Bricker, of Ohio; and myself—that they were unanimous in their choices. In order to emphasize the nonpartisan nature of the committee, I note that none of the five Senators who have been chosen for honoring today were members of the Democratic Party. And we took pride in the fact that Clay, Webster, Calhoun, and La Follette were among the top five receiving the most endorsements from our panel of 150 scholars; that the same four names were also among the top five receiving the most endorsements from those Senators who responded to our inquiry; and that the late Senator Taft, whose name completes the five recommended by our committee, was the first choice of the Senators who responded and among the first 10 recommended by scholars. [Applause.]

It was the committee's hope, and the hope of the authors of the Senate resolution—Senator JOHNSON of Texas and his colleague, former Senator Knowland—that the interest evoked by this project would call attention in these critical times to the high traditions of the Senate, and its significant role in our history, for those traditions are best exemplified, in our opinion by these five men:

Henry Clay, of Kentucky, probably the most gifted parliamentary figure in the history of the Congress, whose tireless devotion to the Union demonstrated that intelligent compromise required both courage and conviction.

Daniel Webster, of Massachusetts, the eloquent and articulate champion of "Liberty and Union, now and forever, one and inseparable."

John C. Calhoun, of South Carolina, the intellectual leader and logician of those defending the rights of a political minority against the dangers of an unchecked majority.

Robert M. La Follette, Sr., of Wisconsin, a ceaseless battler for the underprivileged in an age of special privilege, a courageous independent in an era of conformity, who fought memorably against tremendous odds and stifling inertia for the social and economic reforms which ultimately proved essential to American progress in the 20th century.

And, finally, Robert A. Taft, of Ohio, the conscience of the conservative movement and its most constructive leader, whose high integrity transcended partisanship, and whose analytical mind candidly and courageously put principle above ambition.

These are the five men whom the Senate honors today. This Nation, I know, will honor for all time to come these men and all those who seek to follow in their hard path. [Applause.]

ADDRESS BY SENATOR JOHNSON OF TEXAS

The PRESIDENT pro tempore. The love of country and the parliamentary skill of our next speaker indeed echo the greatness of the men whose lives we today commemorate. It is especially fitting, therefore, that the Presiding Officer now recognize the distinguished majority leader of the Senate, the Honorable LYNDON B. JOHNSON. [Applause.]

Senator JOHNSON of Texas. Mr. Vice President, Mr. President pro tempore, Senator KENNEDY, distinguished guests: I felt very much indebted to this outstanding committee of Members of the Senate, at the time when the selections of the Senators to be honored were made, for their diligence and their judgment in connection with this undertaking.

This project is very close to my heart. At a certain moment, some 3 years ago, my heart was a very especial subject of

interest to me. [Laughter.] For 2 months following the period of July 2, I had few communications; but the President of the United States and the distinguished Vice President indicated some interest and concern in me, and came to see me.

During my stay at the naval hospital, at one time, when I was at a low point, an interesting development occurred. A tailor had measured me for some new suits the day before I had my heart attack. Following the attack, he telephoned to inquire whether I still wanted the two suits I had ordered. [Laughter.] My doctor told me that the first time he was really sure that I was going to live was when I told Lady Bird to tell the tailor that of course I would want them, and that I would need the blue one, whatever happened. [Laughter.]

The next day or so, two great Americans came into my room—Earle Clements, the acting majority leader, and Bill Knowland, of California, the great minority leader. I reviewed with them what had transpired in connection with this room, and expressed the hope that someday the leaders would have their offices near the Senate Chamber, and that we would proceed to carry out the original plans.

They returned to the Capitol that afternoon from the hospital and presented the resolution which has been read in my name. I was designated the chairman—only to find that I was unable to carry out that responsibility. So I suggested as chairman the very able and gifted Senator who has just made such an excellent presentation—Senator JACK KENNEDY.

For all those who have served in the Senate—or who do serve now—this is, I am sure, a very moving and deeply personal moment.

We meet to pay honor to five great men. Five of our best Senators have made the choices. Yet in a real sense we have met here to honor the institution of the Senate which all of us love so much, for what it is, and for what it has always been in our system: the testing place for the character of the living generations of Americans.

The names of those whose portraits hang on these walls—Clay, Calhoun, Webster, La Follette, Taft—are names which history already honors greatly. Our recognition here can add little to the stature and esteem already so securely theirs. Yet by this action we remind ourselves—and perhaps remind the entire Nation—of some of the most important enduring values.

History has not had to seek out these men, to give to them their due. They were honored men in their own times, even though frequently they were criticized.

Their contemporaries, as well as their heirs and successors, recognized and acknowledged in each of them an authentic greatness. I know that each Member of the Senate present today who has had the privilege of serving with Bob Taft as a Senator or under him as a leader will confirm that statement.

This, we realize, is rare. Yet when we consider the place these men hold in history, the rarity of it is explained.

Clay, Calhoun, Webster, La Follette, and Taft are—for Americans—synonyms for character.

The works of these men are—in the main—obscured by the passing of time. By our values of today, not all their works would always meet with our approval or agreement. Nor would their methods always be acclaimed now, just as they were not by contemporaries.

But the greatness that emerges from each of them and towers high is the greatness of character.

In a forum where character is tested—not only the character of the men but of the times and the people they serve—these five Americans met and passed every exacting test.

Significantly, I feel, it can be said that they did so for still another trait each displayed in common: they were all, individually, masters of this institution of freedom, the Senate of the United States.

Among them were men who aspired, at times, for other roles. Most of them, in fact, found less than complete fulfillment of their aims and of their convictions. Yet each of them when entrusted with the responsibilities of duties here in the Senate served, above all, as a good and great U.S. Senator—as one who understood the Senate itself, and who saw to it that the Senate served the demands of the period.

The strength of democracy is the strength of its enduring institutions—and the strength of those institutions is the strength of men, such as these men, who willed the whole of their abilities to the cause to which they were dedicated.

It is for this dedication that these men have won the place they hold in the Nation. It is this special quality which the five able outstanding Members of the Senate who served on the committee which made the selections, have chosen now to honor—in memory to the Senators chosen, and in reminder to ourselves and to those who come after us.

I should like to conclude by expressing a word of gratitude, not merely for the great service these honored men rendered a great institution and a great Nation, but for the service the committee rendered in making their selections, and which have been contributed to a great deal by that outstanding author of the "Famous Five," Holmes Alexander. Long may the memories of the services of these towering giants of the Senate endure. [Applause.]

ADDRESS BY SENATOR DIRKSEN

The PRESIDENT pro tempore. It is significant that the men we salute today were first of all patriots, and then partisans. It is in that spirit that I now call upon a Senator who enjoys the respect of all his colleagues, the distinguished minority leader, the Honorable EVERETT M. DIRKSEN of Illinois. [Applause.]

Senator DIRKSEN. Mr. Vice President, Mr. President pro tempore, my colleagues in the Senate, and my fellow Americans: Last week I took occasion on the Senate floor to refer to the 170th anniversary of the meeting of the First Congress. Under the Constitution, it was to meet on the 4th of March 1789, in New York City. Actually, it did not get under way until the 6th of April 1789, for the first day only eight Senators, not a quorum, appeared.

As I recall, another 32 days elapsed before the electoral vote was counted and before John Adams was properly ensconced as Vice President, and before John Langdon, of New Hampshire, was chosen as President pro tempore of the Senate, and this great deliberative body of the Republic under the Constitution got under way.

That was 170 years ago. A long time has elapsed since the first Senate met. In fact, 86 Congresses and 86 Senates have virtually come and gone. It is an amazing record of this free country, probably not to be boasted by any other country on the face of the earth, that in all that time there has been an uninterrupted legislative process in this free land, in peacetime and in wartime.

As the Nation and the population grew and the Original Thirteen States with 26 Senators increased in number, obviously the Senate likewise increased until now there sit in the Chamber nearby 98 Senators from 49 States, and there is an imminent possibility that before too long the number will be increased and there will be 100 Senators from 50 States. Since the First Congress, if my recollection is correct, 1,331 men and women have served in the U.S. Senate.

What an amazing and moving pageant this Republic is. The Senate is a veritable cross section of the country, because within its membership it has numbered admirals and generals, farmers and ranchers, teachers, labor leaders, philosophers, businessmen, industrialists, and those who represented various points of view in the economic and the political and the social structure of the great Republic.

Who was outstanding, among all these 1,300, since the first Congress 170 years ago last week?

In the first Senate were celebrated men—Oliver Ellsworth, who later became Chief Justice of the Supreme Court; Rufus King of New York; Robert Morris of Pennsylvania; Richard Henry Lee and James Monroe of Virginia, the latter later to become President of the United States. In every Senate there have been distinguished Senators, and who among them were outstanding?

That was the criterion for selection. It was not who was most eloquent. It was not who was most resourceful. It was not who was most skillful. It was not who was the best parliamentarian. The question was who was outstanding when measured in terms of influence and impact upon the time in which he lived and moved and had his being.

It was not an easy task to make a selection from that great host which had been marching down the corridors of time as Members of the U.S. Senate.

I tried to find common attributes in those who were selected. Such attributes exist; and three of them appeal to me greatly.

The first attribute is that all of the five were crusaders. One can be a crusader for the right or one can be a crusader for the wrong; but what a great thing it is to be a crusader. The definition of a crusader is one of the most pointed and revealing descriptions in the Book of Revelations that one can ever encounter. If I can reconstruct it, it goes like this:

I know thy works that thou are neither cold nor hot: I would thou wert cold or hot.

So then because thou art lukewarm, and neither cold nor hot, I will spue thee out of my mouth.

That is a test of the crusader.

As I was coming to the Senate one day last year, we were not driving so fast that I could not spell out the announcement on a church bulletin board, I think on Wisconsin Avenue. As I recall the announcement went like this:

Ye shall seek me and find me, if ye shall search for me with all your hearts.

That is the measure of a crusader, a wholehearted endeavor. The five men we are honoring were crusaders in their time and generations.

Secondly, I find the common attribute that they were dedicated men, dedicated to cause and to convictions. No matter what the history books may say, when it is undertaken to pick out one facet of their lives it will be found they were dedicated men.

It took dedication on the part of Daniel Webster to support the Clay compromise, because the protests and the excoriation which he had to endure were terrible things to a politician. But he supported that compromise.

It took dedication on the part of John C. Calhoun, passionate as he was in his devotion to the Southland, to resist all efforts at disunion and to undertake to dissuade some of his friends and fellow citizens against the course which they had charted for themselves.

And it took dedication for Henry Clay to embrace compromise, because of his devotion to liberty and to the Union. That required dedication.

We must measure these attributes always against the backdrop of these Senators' own generations. It took dedication on the part of Robert Marion La Follette to lash out against the evils of his time, and, oh, how intrepid he was in doing it.

There was dedication on the part of that man in our own generation, the only one of the five in our generation, Bob Taft, to whom it was my privilege to refer 7 years ago, before a highly clamorous and demonstrative and noisy crowd in Chicago, as "Mr. Integrity and Mr. American." What integrity and dedication it took to stand up against the group cleavages of our own time which menaced and threatened the dignity of the individual and the continuity of the pattern of living.

All these Senators were crusaders. All of them were dedicated spirits. Finally, they had the common attribute of moral courage.

Sometime, if I am ever permitted to do so, I shall go to Hollywood and endeavor to direct a motion picture of the life of Joshua, if somebody does not do it before me, because I have a picture in my mind of a great, eloquent patriot standing out all alone, who hears a stentorian voice above him, as it comes out of the vaulted space of the heavens. He is listening and hears the command which says, "Have not I commanded thee? Be strong and of a good courage."

That is all it took—strength and courage. When we measure the lives of these Senators against all difficulties, against the challenges and causes of the times, we can say they were men strong and of good moral courage.

The attributes I have enumerated are those which in my judgment made these men outstanding and worthy of the feeble tribute which we offer today. They were impressive. They were influential. We hail them as our predecessors, as we move in that same continuous stream of the U.S. Senate. They were great men, dedicated to the cause, and because of the legacy they left and the rich inheritance which is ours this is still a free land and we have a free Senate. [Applause.]

UNVEILING OF THE PORTRAITS

The PRESIDENT pro tempore. We have now reached the high point of the program. In behalf of the Senate Committee on Rules and Administration, I hereby direct that the portraits of the five outstanding Senators be unveiled.

The first portrait to be unveiled, at the front of the room, is the likeness of Senator Henry Clay, of Kentucky, who served several terms in the Senate between 1806 and 1852.

(The portrait of Senator Henry Clay was unveiled, amid great applause.)

The PRESIDENT pro tempore. Next, to my near left, is the likeness of Senator Daniel Webster, of Massachusetts, who served in the Senate from 1827 to 1850, with the exception of one slight interval.

(The portrait of Senator Daniel Webster was unveiled, amid great applause.)

The PRESIDENT pro tempore. Now, to my near right, is the likeness of Senator John C. Calhoun, of South Carolina, who served in the Senate from 1832 to 1850, with the exception of one slight interval.

(The portrait of Senator John C. Calhoun was unveiled, amid great applause.)

The PRESIDENT pro tempore. Now, to my far left, is the likeness of Senator Robert M. La Follette, Sr., of Wisconsin, who served in the Senate from 1905 to 1925.

(The portrait of Senator Robert M. La Follette, Sr., was unveiled, amid great applause.)

The PRESIDENT pro tempore. Finally, to my far right, is the likeness of Senator Robert A. Taft, of Ohio, who served in the Senate from 1939 to 1953.

(The portrait of Senator Robert A. Taft was unveiled, amid great applause.)

The PRESIDENT pro tempore. The ceremonies are now concluded.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 2260) to extend until July 1, 1963, the induction provisions of the Universal Military Training and Service Act; the provisions of the act of August 3, 1950, suspending personnel strengths of the Armed Forces; and the Dependents Assistance Act of 1950.

UNEMPLOYMENT INSURANCE TAXES

Mr. KENNEDY. Mr. President, the Department of Labor has announced that during the month of February 6.1 percent of our labor force was unemployed. A total of 4,749,000 persons were unable to find work. This illustrates again, if additional illustration is necessary, the urgent need for adequate unemployment insurance.

Our present system is inadequate for either a subsistence standard of living or as a cushion against the debilitating effects of a prolonged recession. Regardless of what the future brings in the way of an easing or a worsening of our economic condition, we are confronted with the established fact of a defective insurance system.

There is no disagreement over this fact. It has often been pointed out by the President in budget messages and economic reports as far back as 1954. Our present unemployment insurance system has been criticized by independent research groups such as the Rockefeller Brothers report of April 1958 and the University of Michigan study of February 1959, by Governors of several States, and by the former Chairman of the President's Council of Economic Advisers, Mr. Arthur Burns, who is now president of the National Bureau of Economic Research. Recently, in a still to be released report, the Federal Advisory Council on Employment Security called for revision of the unemployment insurance law.

No temporary palliative can cure the basic defects in the unemployment insurance system. It can only perpetuate those defects and result in abandonment of the insurance principle. The proposals thus far advanced by the administration ignore the shockingly low benefits which are paid in some States and the many people who cannot take advantage of the unemployment insurance program today.

What is needed is not a kind of patchwork job which ignores the dangerous flaws in the system's basic structure but a thorough modernization program.

This is not a matter which can be deferred, delayed, or postponed. It has been suggested that another temporary extension of the law might relieve the

current crisis. However, this would be of no help whatsoever to more than 2 million workers now unemployed who are not receiving any benefits at all. It would be of little benefit even to those who might gain some additional extension of their compensation. Even with the law temporarily extending benefits, which was enacted last year, exhaustions are averaging approximately 200,000 per month. When that law expires an additional 300,000 to 400,000 jobless workers will suddenly be deprived of their entire income.

It has also been suggested that we wait for the State legislatures to meet and work out a solution. We have been waiting for this for at least 6 years. There is no reason to believe that the individual States are any more likely or any better able to enact a more adequate program without the support of Federal minimum standards than they have in the past.

Unemployment is a nationwide problem. Its effects are felt in every corner of the Nation. The problem can only be solved by the Congress. This is what the draftsmen of the original legislation—the President's Committee on Economic Security—originally intended, and this is in accordance with the theory of the law.

There is a natural tendency among the various States to compete among themselves for industry, and many hold out as inducement low unemployment insurance taxes. The only way to cure this unhealthy competition is by a Federal law establishing minimum standards based upon the needs of economy rather than by competitive advantage which might be gained by low benefit payments.

A permanent standards bill which I have introduced with the junior Senator from Minnesota, the senior Senator from New Jersey, and 32 other Senators, and which Congressmen MACHROWICZ and KARSTEN and 127 other Congressmen have introduced in the other body, modifies the present law in three basic respects.

First, it establishes a uniform weekly benefit equal to 50 percent of the worker's income or two-thirds of the average wage in the State, whichever is lower. Today the average production worker receives $88 per week. But his average benefit when he becomes unemployed is $30 per week. In some States the average benefit is as low as $21 per week—and the most he can get is $26 per week. This is exactly one-half the amount recent studies have shown are necessary to a subsistence standard of living in a metropolitan area. I ask unanimous consent that there be included at this point in the RECORD a table showing benefit payment activities under State programs and the program of unemployment compensation for Federal employees for December 1958.

Secondly, under our bill every worker would be able to draw benefits for a uniform period of 39 weeks, instead of being cut off at the end of 6, 8, or 10 weeks, as he is now in some States. Any period of recession has a double effect. It both increases the number of unemployed and lengthens the duration of the unemployment. The University of Michigan study of the month of October 1958 showed that 42 percent of the unemployed did not find jobs within a 26-week period. Obviously, an insurance program which provides benefits for less than 26 weeks does not take care of the needs of this 42 percent. Mr. President, I ask unanimous consent that there be included at this point in the RECORD a table showing the unemployment insurance statutory provisions dealing with minimum and maximum weeks of benefits for total unemployment in September 1958.

Finally, our bill broadens the coverage to include the millions now deprived of its benefits simply because they have less than three coworkers. There is no ground either in logic or in reason for making this distinction between members of our labor force. It is time we corrected this oversight in the law. Mr. President, I ask unanimous consent that there be included at this point in my remarks a table showing the size-of-firm restrictions of State unemployment insurance laws and their effect on coverage and exclusion of workers.

As I have said there is little disagreement over the necessity for adopting these minimum standards. The only differences of opinion have been over whether we should establish them as part of our basic law or leave it to each State to adopt. The history of the past few years has conclusively demonstrated the fallacy of waiting for individual State action.

The time is critical and the solution is clear. I hope the Congress will take immediate action.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing benefit payment activities under State programs and the program of unemployment compensation for Federal employees, December 1958; a table showing size-of-firm restrictions of State unemployment insurance laws and their effect on coverage and exclusion of workers; and a table entitled "Unemployment Insurance Statutory Provisions: Minimum and Maximum Weeks of Benefits for Total Unemployment, September 1958."

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Benefit payment activities under State programs and the program of unemployment compensation for Federal employees, December 1958

Region and State	Weeks compensated					Beneficiaries		Benefits		Final payments [3]
	All types of unemployment	Total unemployment		Partial unemployment [1]		Average weekly number	Percentage change from November 1958	Amount [2]	Percentage change from November 1958	
		Number	Average weekly payments	Number	Percent of all unemployment					
Total, 53 States	7,997,260	7,338,848	$30.41	658,412	8.2	1,738,535	+17.1	$234,683,449	+34.5	213,056
Region I:										
Connecticut	154,760	147,561	35.20	7,199	4.7	33,643	+5.9	5,326,032	+21.6	4,184
Maine	68,947	63,414	21.61	5,533	8.0	14,988	+50.7	1,440,843	+72.5	1,289
Massachusetts	299,213	243,842	31.35	55,371	18.5	65,046	+26.7	8,478,919	+45.7	7,372
New Hampshire	25,973	23,428	23.79	2,545	9.8	5,646	+19.5	587,724	+41.2	559
Rhode Island	59,175	52,725	31.06	6,450	10.9	12,864	+29.8	1,749,083	+64.1	2,024
Vermont	13,938	12,945	24.02	993	7.1	3,030	+16.6	326,259	+47.2	312
Region II:										
New Jersey	468,116	411,680	32.32	56,436	12.1	101,764	+36.5	14,648,560	+56.3	11,439
New York	1,186,629	1,046,713	34.62	139,916	11.8	257,963	+21.2	38,644,401	+30.9	23,371
Puerto Rico	1,185	1,177	25.25	8	.7	258	+6.2	29,832	+23.5	49
Virgin Islands	24	24	19.71	0	0	5	(4)	473	+16.5	0
Region III:										
Delaware	21,560	19,662	32.38	1,898	8.8	4,687	+40.1	674,923	+62.2	663
District of Columbia	26,242	25,655	26.73	587	2.2	5,705	+10.0	695,153	+26.5	843
Maryland	160,963	151,162	30.27	9,801	6.1	34,992	+21.5	4,766,237	+38.8	3,876
North Carolina	150,059	139,942	20.00	10,117	6.7	32,622	+15.2	2,956,764	+29.5	3,310
Pennsylvania	1,009,110	928,834	29.43	80,276	8.0	219,372	+13.7	28,592,364	+29.7	22,668
Virginia	65,220	62,258	23.91	2,962	4.5	14,178	+23.2	1,519,493	+39.2	2,567
West Virginia	110,706	103,298	23.01	7,400	6.7	24,067	+15.4	2,483,990	+30.1	3,575

[1] Includes beneficiaries with part-time jobs and those working at reduced hours. Montana has no provisions for other than total unemployment.

[2] Unadjusted for voided benefit checks and transfers under interstate combined-wage plan. Excludes amount of unemployment compensation for Federal employees' benefits paid to claimants who file jointly to supplement benefits under other programs; nationally this represents less than 0.1 percent of the amount shown.

[3] A final payment is the payment for the last week of compensable unemployment in a benefit year, and indicates the exhaustion of benefit rights by a claimant for that benefit year. Because of the time lapse between the actual week in which the unemployment occurs and the date on which final payment is made, the monthly total includes some claimants who exhausted their rights in the preceding month but received their final payment in the reported month, and excludes some claimants who exhausted their rights in the reported month but will not receive their final payment until the succeeding month. Workers who exhaust their rights may be entitled to additional benefits when the following benefit year begins. The number of exhaustions is not indicative of the number who are still unemployed as some will have obtained employment and others may have withdrawn from the labor force.

[4] Not computed when number or amount is less than 50 in either month.

Benefit payment activities under State programs and the program of unemployment compensation for Federal employees, December 1958—Continued

Region and State	Weeks compensated					Beneficiaries		Benefits		Final payments
	All types of unemployment	Total unemployment		Partial unemployment		Average weekly number	Percentage change from November 1958	Amount	Percentage change from November 1958	
		Number	Average weekly payments	Number	Percent of all unemployment					
Region IV:										
Alabama	113,245	109,103	22.98	4,142	3.7	24,618	+12.5	2,571,021	+29.2	4,646
Florida	70,230	66,392	24.55	3,838	5.5	15,267	−21.3	1,689,768	−7.2	3,531
Georgia	112,683	104,585	23.67	8,098	7.2	24,496	+11.9	2,587,496	+29.2	4,177
Mississippi	43,568	39,911	22.06	3,657	8.4	9,471	+34.8	934,008	+55.6	1,016
South Carolina	49,636	45,697	22.09	3,939	7.9	10,790	+7.3	1,069,047	+23.9	1,739
Tennessee	146,166	134,350	21.79	11,816	8.1	31,775	+14.4	3,092,656	+30.8	4,870
Region V:										
Kentucky	98,752	91,028	27.24	7,724	7.8	21,468	+10.0	2,595,467	+26.6	3,103
Michigan	374,584	361,169	35.21	13,415	3.6	81,431	−24.9	12,960,926	−14.5	18,671
Ohio	396,728	374,601	32.04	22,127	5.6	86,245	+18.9	12,348,623	+37.9	10,653
Region VI:										
Illinois	381,475	348,329	30.15	33,146	8.7	82,929	+8.0	11,163,622	+25.7	11,297
Indiana	141,243	128,537	29.20	12,706	9.0	30,705	+4.0	3,963,739	+20.7	6,661
Minnesota	134,291	128,599	29.27	5,692	4.2	29,194	+56.0	3,862,774	+83.6	3,902
Wisconsin	124,667	112,060	34.50	12,607	10.1	27,102	+16.1	4,226,334	+33.2	[5] 6,173
Region VII:										
Iowa	29,621	27,162	25.39	2,459	8.3	6,439	+44.8	723,998	+73.6	1,061
Kansas	45,900	43,698	29.15	2,202	4.8	9,978	+26.1	1,320,270	+44.3	1,515
Missouri	123,291	102,792	27.57	20,499	16.6	26,802	+6.8	3,086,677	+25.7	2,945
Nebraska	21,329	20,273	27.85	1,056	5.0	4,637	+62.1	578,333	+94.6	662
North Dakota	13,839	12,681	27.63	1,158	8.4	3,008	+388.3	372,672	+505.8	367
South Dakota	6,696	6,216	26.13	480	7.2	1,456	+167.6	169,998	+227.3	251
Region VIII:										
Arkansas	47,348	43,180	20.61	4,168	8.8	10,293	+40.5	945,677	+58.4	1,728
Louisiana	97,707	90,459	30.66	7,248	7.4	21,241	+15.0	2,912,870	+30.8	1,986
Oklahoma	51,875	47,970	25.82	3,905	7.5	11,277	−2.3	1,269,816	+12.1	1,613
Texas	214,842	203,827	24.20	11,015	5.1	46,705	+10.6	5,128,389	+26.8	7,668
Region IX:										
Colorado	32,813	30,699	31.56	2,114	6.4	7,133	+35.7	1,010,591	+55.2	788
Montana	38,734	38,734	27.44	0	0	8,420	+65.9	1,060,515	+94.6	1,102
New Mexico	15,971	15,050	25.72	921	5.8	3,472	+29.0	402,240	+49.3	393
Utah	22,114	20,476	31.53	1,638	7.4	4,807	+44.5	676,477	+70.6	521
Wyoming	8,674	7,821	35.77	853	9.8	1,886	+81.0	304,401	+118.3	225
Region X:										
Arizona	24,618	23,590	29.64	1,028	4.2	5,352	+6.2	722,328	+22.9	656
California	775,743	732,204	33.08	43,539	5.6	168,640	+27.7	25,007,661	+47.1	16,414
Hawaii	14,353	12,481	27.70	1,872	13.0	3,120	+24.4	371,919	+50.2	173
Nevada	21,456	20,079	37.73	1,377	6.4	4,664	+48.2	790,139	+72.6	459
Region XI:										
Alaska	24,781	23,899	36.04	882	3.6	5,387	+63.2	881,843	+89.4	323
Idaho	24,735	23,553	34.45	1,182	4.8	5,377	+88.7	842,502	+125.8	292
Oregon	116,106	108,521	33.55	7,585	6.5	25,240	+56.1	3,820,939	+83.2	1,449
Washington	215,626	204,802	29.71	10,824	5.0	46,875	+31.8	6,296,663	+52.8	1,925

[5] Represents data on a per employer basis and is not strictly comparable.

TABLE 1.—*Size-of-firm restrictions of State unemployment insurance laws and their effect on coverage and exclusion of workers*

State	Statutory minimum number of workers and period for employer coverage [1]	Number of workers, March 1957 (in thousands)		Percent increase in coverage with removal of size-of-firm restriction
		Covered [2]	Excluded [3]	
Total, 51 States		39,089.9	1,898.1	5
Total, 34 States [4]		28,167.5	1,898.1	7
Alabama	4 in 20 weeks	517.6	38.3	7
Alaska	1 at any time	21.9	0	0
Arizona	3 in 20 weeks	190.5	10.4	5
Arkansas	1 in 10 days	241.4	(4)	(4)
California	$100 quarterly	3,521.4	(4)	(4)
Colorado	4 in 20 weeks	291.8	32.4	11
Connecticut	3 in 13 weeks	749.6	27.3	4
Delaware	1 in 20 weeks	122.9	(4)	(4)
District of Columbia	1 at any time	221.2	0	0
Florida	4 in 20 weeks	799.9	82.2	10
Georgia	do	706.7	50.8	7
Hawaii	1 at any time	107.3	0	0
Idaho	$150 quarterly [5]	96.6	(4)	(4)
Illinois	4 in 20 weeks	2,663.0	183.6	7
Indiana	do	1,090.6	74.8	7
Iowa	do	412.4	59.7	14
Kansas	do	344.2	44.9	13
Kentucky	do	435.6	41.3	9
Louisiana	do	555.3	41.9	8
Maine	do	182.8	18.7	10
Maryland	1 at any time	678.1	0	0
Massachusetts	1 in 13 weeks	1,483.7	(4)	(4)
Michigan	4 in 20 weeks	1,904.3	121.1	6
Minnesota	do [6]	630.6	28.3	4
Mississippi	do	236.9	24.2	10
Missouri	4 in 20 weeks	940.9	79.7	8
Montana	1 in 20 weeks	105.8	(4)	(4)
Nebraska	4 in 20 weeks	202.0	30.8	15
Nevada	$225 quarterly [5]	62.7	(4)	(4)
New Hampshire	4 in 20 weeks	137.7	12.0	9
New Jersey	do	1,512.2	111.9	7
New Mexico	$450 quarterly [5]	136.5	(4)	(4)
New York	2 at any time	4,865.4	[3] 150.0	3
North Carolina	4 in 20 weeks	820.4	58.6	7
North Dakota	do	55.9	11.3	20
Ohio	3 at any time	2,519.4	86.9	3
Oklahoma	4 in 20 weeks	363.3	43.3	12
Oregon	2 in 6 weeks [7]	331.0	8.6	3
Pennsylvania	1 at any time	3,108.6	0	0
Rhode Island	do	230.7	0	0
South Carolina	4 in 20 weeks	392.7	29.9	8
South Dakota	do	62.3	14.1	23
Tennessee	do	616.4	49.1	8
Texas	do	1,718.2	169.5	10
Utah	$140 quarterly [5]	158.2	(4)	(4)
Vermont	4 in 20 weeks	69.4	7.5	11
Virginia	do	652.5	51.5	8
Washington	1 at any time	571.8	0	0
West Virginia	4 in 20 weeks	370.0	28.4	8
Wisconsin	do	826.0	75.1	9
Wyoming	$500 yearly [5]	53.6	(4)	(4)

[1] Includes provisions in effect during 1957 and still in effect as of Apr. 30, 1958; alternative requirements for coverage of employers not given.

[2] Data represent covered employment for March 1957 under the State size-of-firm provisions indicated.

[3] Number of workers excluded are estimates based on unpublished Bureau of Old-Age and Survivor's Insurance data for March 1956 except that the number for New York was estimated by the State employment security agency.

[4] Data include only the States with size-of-firm limitations on the number of workers employed; no data are available on the number of workers excluded by limitations on the amount of payroll or the number of weeks of employment required for employer coverage.

[5] Payroll requirement.

[6] Minnesota employers of 1 or more in 20 weeks are covered in 22 communities of 10,000 or more; elsewhere in the State only employers of 4 or more in 20 weeks are covered.

[7] Employer must have 2 workers in 6 weeks in a quarter and also have an annual payroll of $1,800.

CHART 1b.—*Unemployment insurance statutory provisions: Minimum and maximum weeks of benefits for total unemployment, September 1958*

State	Minimum weeks [1]	Maximum weeks
Pennsylvania [3]	30.0	30.0
Louisiana	12.0	28.0
Wisconsin [3]	10.0	26.5
Maine	26.0	26.0
Maryland [2]	26.0	26.0
New Hampshire	26.0	26.0
New York [2]	26.0	26.0
North Carolina	26.0	26.0
Vermont	26.0	26.0
Minnesota [2]	18.0	26.0
California [2]	15.0–26.0	26.0
Alaska [2]	15.0	26.0
Kentucky	15.0	26.0
Utah	15.0	26.0
New Jersey [2]	13.0	26.0
Oregon	12.3–15.5	26.0
Mississippi	12.0	26.0
Washington	12.0	26.0
Wyoming	12.0	26.0
District of Columbia [2]	11.5	26.0
Missouri	11.1–12.5	26.0
Delaware [2]	11.0	26.0
Illinois [2]	10–23.0	26.0
Connecticut [3]	10–12.0	26.0
Arizona	[10] 10.0	26.0
Colorado [3 4]	10.0	26.0
Idaho	10.0	26.0
Nevada [2]	10.0	26.0
Michigan [2]	9.5	26.0
Ohio [3]	9.2–12.0	26.0
Rhode Island [2]	7.9–10.4	26.0
Massachusetts [2]	7.1–17.0	26.0
Oklahoma	6.7	26.0
West Virginia [2]	24.0	24.0
New Mexico	12.0	24.0
Texas [5]	7.2–16.1	24.0
Iowa	6.7	24.0
Montana	22.0	22.0
Tennessee	22.0	22.0
South Carolina	10.0	22.0
Georgia [4]	20.0	20.0
Hawaii	20.0	20.0
North Dakota	20.0	20.0
Alabama [3]	11.7	20.0
Nebraska	8.5–13.5	20.0
Kansas	7.4–13.4	20.0
South Dakota	5.7–13.3	20.0
Indiana [3]	5.6–6.2	20.0
Arkansas [3]	10.0	18.0
Virginia	8.0	18.0
Florida	5.0	16.0

[1] When 2 figures are shown, the lower represents the shortest possible duration; the upper represents duration at the minimum weekly benefit amount where the combination of qualifying wages and the duration fraction yields a longer duration than the minimum. The lower figure only is charted.

[2] Additional weeks of benefits provided by participation in Federal temporary unemployment compensation program.

[3] Additional weeks of benefits provided under State temporary unemployment compensation legislation.

[4] 26 weeks of benefits for claimants with more than $1,000 per year in covered employment in State and no benefit claims for 5 consecutive years (Colorado); 22 weeks of benefits for claimants with wages equal to 4 times lower limit of high-quarter wage bracket (Georgia).

[5] Minimum weeks under 2 alternative qualifying wage requirements.

COMMUNICATION ACTIVITIES AT THE IX PLENARY ASSEMBLY OF THE INTERNATIONAL RADIO CONSULTATIVE COMMITTEE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Chair lay before the Senate the unfinished business.

The PRESIDING OFFICER. The Chair lays before the Senate the unfinished business, which is Senate Joint Resolution 47.

The Senate resumed the consideration of the joint resolution (S.J. Res. 47) providing that certain communication activities at the IX Plenary Assembly of the International Radio Consultative Committee to be held in the United States in 1959 shall not be construed to be prohibited by the Communications Act of 1934 or any other law.

Mr. MANSFIELD. Mr. President, this joint resolution has the approval of the distinguished minority leader and the distinguished majority leader. I ask unanimous consent that a statement taken from the report of the Committee on Interstate and Foreign Commerce be incorporated in the RECORD at this point.

There being no objection, the excerpt from the committee report (Rept. No. 81) was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of Senate Joint Resolution 47 is to (a) permit U.S. common carriers to render free communication services to official participants at the Ninth Plenary Assembly of the International Radio Consultative Committee (CCIR); and (b) to permit qualified official participants in the Assembly to operate an amateur radio station licensed by the FCC to be located at the conference, subject to rules and regulations to be issued by the FCC.

GENERAL STATEMENT

The Ninth Plenary Assembly of the International Radio Consultative Committee (CCIR) is a major international conference scheduled to meet in Los Angeles, Calif., from April 1 to April 30, 1959, for the purpose of discussing a whole range of technical problems involving radio. The International Radio Consultative Committee is a permanent organ of the International Telecommunications Union which is composed of representatives of almost all of the nations of the world.

It has been called to the attention of your committee that it is customary for the host government to extend the courtesies of free communication services to the official participants whenever such conferences are held within the structure of the International Telecommunications Union. Under existing law and various rules and regulations promulgated by the Federal Communications Commmission, such services are prohibited.

In 1947, the Congress adopted a resolution similar to Senate Joint Resolution 47, which gave franking privileges to members of the national delegation who attended the Atlantic City Radio and Plenipotentiary Conference held in Atlantic City, N.J., during the period of the conference. This resolution would provide a temporary waiver of the restrictive provisions of existing law and regulations for the period of the International Radio Consultative Committee meeting, April 1 to April 30, 1959.

It should be pointed out that U.S. common carriers would not be required to extend the free privileges to the official participants in the conference, since the resolution is merely permissive. Accordingly, the carriers may grant the free services, if they so desire. Further, the legislation would not involve any expense to the Government of the United States.

The FCC has notified your committee that it has issued an authorization for an amateur station to be located at the site of the CCIR conference and the call letters of this station will be K6USA.

The FCC has also advised us that similar privileges with reference to amateur operations were accorded members of national delegations attending CCIR conferences in Europe. Your committee feels the privileges afforded by this legislation comes under the heading of good public relations, comity between nations, and reciprocity.

CONCLUSION

This resolution would remove the limitations on the granting of free communication services contained in sections 201, 202, 203, 204, 205, and 210 of the Communications Act of 1934, as amended, as well as sections 41 and 61 of the Commission's rules and regulations. In addition, the resolution would also waive the limitations now contained in sections 301, 208(b), 310(a)(1), 319(a) as well as section 12.28 of part 12 of the Commission's rules and regulations, but only for the period of the International Radio Consultative Committee Conference. This exemption would be temporary in nature and in accord with custom and practice in such world conferences.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the joint resolution.

The joint resolution (S.J. Res. 47) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That nothing in the Communications Act of 1934, as amended, or in any other provision of law shall be construed to prohibit (1) common carriers subject to such Act from rendering free communication services to official participants in the IX Plenary Assembly of the International Radio Consultative Committee (CCIR) to be held in the United States in Los Angeles, California, in 1959, or (2) qualified official participants in such assembly from operating any amateur radio station licensed by the Federal Communications Commission to be operated at such assembly, but any such rendition of services or operation of an amateur radio station shall be subject to such rules and regulations as the Federal Communications Commission may deem necessary.

COMPETITIVE BIDDING IN PROCUREMENT OF PROPERTY AND SERVICES BY ARMED FORCES

Mr. KEATING. Mr. President, I desire to add my voice to the voices of other Senators who have spoken in commendation of the action of the Senator from Delaware [Mr. WILLIAMS] in focusing attention upon the very serious problem of Government procurement in the Defense Department. I have not had an opportunity to read in detail the bill which the Senator from Delaware has introduced. My colleague from New York and I have been working on proposed legislation which I believe is to the same general effect as the bill introduced by the Senator from Delaware.

It is essential that we come to grips immediately with the problem. An altogether disproportionate number of defense contracts, in my judgment, is being awarded on a so-called negotiated basis. We believe that a considerable number should be made on a bid basis. We have an obligation to meet squarely this problem which has been presented to us by the bill introduced by the Senator from Delaware.

TATSEY WRITES AGAIN

Mr. MANSFIELD. Mr. President, during the last Congress I inserted into the body of the CONGRESSIONAL RECORD on several occasions a number of news columns written by one of this country's

most colorful and unique newspaper columnists, John Tatsey, Indian Service policeman on the Blackfeet Indian Reservation. Tatsey writes his column for the Glacier Reporter, of Browning, Mont. He has a sharp wit and a talent for giving a new perspective to local news items.

Since the reconvening of Congress I have received a number of inquiries from people on Capitol Hill asking when I was going to put some more of John Tatsey's stuff in the RECORD. Today, Mr. President, I take great pleasure in asking unanimous consent to have a series of John Tatsey, Heart Butte news columns, reprinted in the CONGRESSIONAL RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Glacier Reporter, Nov. 6, 1958]

HEART BUTTE NEWS

(By John Tatsey)

Heart Butte people really were surprised Tuesday morning. Some did not have any ready chopped wood for morning. The snow was really deep mostly in drifts.

The polls opened at 1 o'clock and very few cars showed up—those that were able to get to the highway. They must be the true Democrats.

The Democrats from Pondera County gave a rally Sunday afternoon at the round hall and there was a large crowd. Our big man Leroy Anderson was there and a few county candidates. They each made a little talk. There was one candidate got up to say a few words. First thing, he said where his wife was. There were some Republicans from other counties that were there because they knew the Democrat grub is always good—strong coffee.

The Heart Butte community held a meeting Monday evening to arrange for their Christmas dance. There was not many there so they will have one Saturday evening, November 8, at the Sure Chief home. Everyone welcome.

The school buses were unable to go their routes Tuesday on account of the deep snow drifts so we may have to bum for a snow plow.

There was dance given by teacher staff at Heart Butte last Friday for the children and parents. Everyone enjoyed a good time and cake and coffee served at midnight.

Joe Buger being unlucky, showing up Sunday morning with his right eye shining. It was a birch creek punch.

There was a guy by the name of Frank who lives on Two Medicine; when his wife went after her goods, which she ordered from the Stanley dealer, his wife got him something new—a back scratcher. Now she won't have to do it.

Leo Sure Chief has been at Galen all summer where he was being treated and his wife having a job at the hospital was home for the weekend and has gone back.

Peter Day Rider and Stoles Head Carrier are down around Valier picking rock for farmers. The boys miss old Stoles because he can take a joke.

Sam Horn was in Browning Monday. His wife gave him a scare; she told him to go home alone. Judge Iron Pipe and Jailer James Walters talked for him, so she went home with Sam. Be careful what you do or say Sam.

Aloyous Weasel Head was picked up by Tatsey Sunday night for being drunk and having a minor with him. Judge Iron Pipe soaked him to 50 days with James Walters.

[From the Heart Butte News, Nov. 21, 1958]

HEART BUTTE FOLKS ENJOY SCHOOL CARNIVAL

(John Tatsey, Indian Service policeman, writes Heart Butte community news for the Glacier Reporter, Browning newspaper.)

Last Friday the school had their carnival and was well attended by the children and parents. There were games played, lunches served, and bingo. The money collected is for the benefit of the school children.

The floor show was the outstanding program. It had everyone laughing. There was Hawaiian hula dances and the imitations of Elvis Presley by one of the school boys.

Sunday there was a good crowd at the church and most everyone stayed until evening.

George Wippert had his services as usual. In the evening stick game being the main part.

Polite Pepion was around Heart Butte Monday picking a few cows from the boys.

Mrs. Mazie Chiefallover has her new house moved to Heart Butte so she will be moving in.

There has been a lot of wondering around Heart Butte over the disappearance of Stoles Head Carrier since he went on the relocation job around Valier.

Mervin Brave Rock has gone back to Yakima, Wash. Expects to be gone 2 weeks.

James H. Walter turned over two boys to Tatsey at Heart Butte for education in the line of work. Aloyious Weasel Head and Eugene Head Carrier sure know how to wash dishes. At Heart Butte they are being taught how to chop wood. Wednesday they were digging a basement in an outdoor toilet. Doing fine.

[From the Montana Fourth Estate, Dec. 1958]

TATSEY RIDES AGAIN

(News from Heart Butte as written for the Glacier Reporter by John Tatsey, Blackfoot Tribal Policeman and reporter extraordinary.)

Stoles Head Carrier went to Valier and got some guts or entrails and when he got home he had to cross a bridge. he slip and fell but still had guts.

John Aims Back drank to much Gallo and cross the same bridge that Stoles fell off of. he fell off but hung on to some bushes with half of his body in the creek. some one came along and pulled him out.

Mrs. Stoles Head Carrier got so lonely last week she went to town to forget her loneliness. Jas. Walters had her a few days as a chambermaid.

George Aims Back fell off the wagon last week and land in jail in Browning where he is serving a fifty day sentence.

There was a big surprise to the Heart Butte community last Sunday evening when Stoles Head Carrier and Pete Day Rider showed up. Pete got home and was welcomed home. But when Stoles got home his house was locked and had to go somewhere for the night. Monday morning he went to town and found his wife in a dizzie condition but brought her home. When they got off he had to pack her across a little stream. he sure was good to her.

[From the Glacier Reporter, Dec. 18, 1958]

HEART BUTTE NEWS

(By John Tatsey)

The weather was rather bad last week. Some of the children did not attend school and the buses were unable to travel. Mr. Bill Duncan, the principal, said that the buses would run on regular schedule as soon as the weather gets better and plans are being considered as to have a snowplow stationed here at Heart Butte.

There are now six teachers at the school. The new teacher came last week from Missoula, Mr. Richard Gregory, teaching eighth grade. The first day in his schoolroom he froze out. His stove was not working right.

Joe (Bugger) Marceau finally got to be a grampa. He really blushed when he heard that he had a grandson. Getting old Bugger.

The assembly for Wednesday has been cancelled on account of the roads. Harriett Miller and Mr. K. W. Bergan were to be here.

The Heart Butte People really suffered for firewood during the storm, maybe it will be a lesson.

The snowplow was out on the road Tuesday so that helped a lot some people got to town to get wood and some groceries.

The committee for the Christmas dance had a meeting last Friday and did some singing and spoke on what's to be done at the dance and made some collecting amount $32 and served lunches. There will be meetings till Christmas.

Stoles has been staying home rather close on account of the sudden storms but he has a white man by the name John getting out firewood for him so he is enjoying a good winter.

Chief Joe New Robe has been pestered by wild animals. Early last fall a black bear was meddling around his home at nights so he layed for the bear and found out it was one of James Spotted Bear's pigs. Two weeks ago a mountain lion was around in his backyard.

[From the Glacier Reporter, Dec. 25, 1958]

HEART BUTTE NEWS

(By John Tatsey)

The new classrooms are finished, only some inside work to be done at Heart Butte School.

There is another teacher coming the first of the month so there will be seven teachers for Heart Butte.

Mervin Brave Rock and family have come back home from Yakima, Wash., last week.

Henry Fisher has been at Heart Butte last week doing some plumbing at the police quarters.

Mrs. Maggie Chief All Over has moved in her new home which she had bought from the Hi Line Lumber.

The wind last week did a little damage around the community, some outhouses went over.

George comes at night, had his pickup truck by his house next morning it was laying on its side caused by the high wind.

The children had there Christmas program last Friday. They did put out a good show; good staff of teachers.

The people around Heart Butte have been traveling to different places to spend there money getting ready for Christmas. There will be a lot of happy children.

The reporter for the Glacier Reporter happened to be at the tribal office when the payment was made and saw some happenings.

There were some fat guys that were in the jam at the door when they got inside they had to adjust there pants. The jam and pushing loosened up there belts and there was 16 different size and color buttons on the floor being pulled off by the ones from the back pulling on coats.

Horsebackriding days in town is a thing of the past when cowboys used to ride in buildings, but it happened at the tribal office when a young lady was unable to get in, some big huskky guy picked her up and she rode on his shoulders. That's the way she got in; her name is Mazie.

Stoles Head Carrier has been a pretty good boy for a long time so will be a different story this time.

There were some young men that got there $25 and that money got them in trouble by being drunk so they won't be around for Christmas Day. They will be with Jas. Wal-

ters but may get a Christmas release gift from the judge.

[From the Glacier Reporter, Jan. 8, 1959]

HEART BUTTE NEWS

(By John Tatsey)

The Christmas and New Year went by very quiet. All attended the midnight mass where Father Mallman said the services.

Francis Bull Shoe and family drove to Flandreau, S. Dak., to visit their son who is attending school there. They said they enjoyed a nice trip and no snow after leaving Montana. They returned last Friday night.

There were a few people who went to Starr school for the Christmas dance. There were quite a number of blood Indians, some from other reservations. All enjoyed themselves and had plenty to eat.

Mr. and Mrs. Bernard Red Head really had a good time dancing at Starr school.

The young boys from Canada, where they do a lot of boxing and footracing, tried out at Starr school. When they would get knocked down and get to their feet they would take off and you could not catch them with a quarterhorse.

Heart Butte had their dance after Christmas and had a good dance. Tatsey and his police force went to work on the few that tried to disturb while under the influence of liquor. Only 10 were put to bed.

There were two Still Smoking boys that were jailed, and when they got out of the jail it was still smoking. They set fire to the mattress.

Stoles Head Carrier was trapping during December and he caught one mink, and one Sunday he sold it for enough money to play a couple of stick games.

The next commodity issue will be at Heart Butte on account of some people are unable to get to town, and there will be some elk meat sent out here for the people.

Earl Wetsit was at Heart Butte dance. He dressed in his costume and danced.

Earl Eastwood motored to Great Falls today.

Mr. and Mrs. Theodore Last Star are patients in a Great Falls hospital.

Percy DeWolfe has left Browning to assume duties as representative of Glacier County at Helena.

Mr. and Mrs. Harvey Brown returned last weekend from Spokane where they had spent Christmas with relatives.

Mr. and Mrs. Herbert Burdeaux, of Yakima, and Marjie Rantaria and Leolla George, of Toppenish, Wash., have been here this week visiting Mr. and Mrs. James Burdeaux.

Frank Rhoades, manager of the local Monarch Lumber Co., plans to leave Sunday on a 10-day vacation, during which he will visit Havre, Great Falls, Butte, and other places where he has lived. Stewart Salois, Monarch employee at Cut Bank, will replace him during his absence.

Report is that Bert Fitzgerald, who suffered a serious fracture of his right leg at his ranch home west of town last week, is making favorable recovery. Circumstances of the accident, according to Leslie Snell, who, with his daughter, Maureen, and her girl companion, Nadine Boyd, had gone to the ranch in quest of a place to iceskate, were that Bert, after putting on his skates, lost his balance and fell at an angle as to involve the lower leg close to the ankle. The bone was fractured in two places. Since the injury the Fitzgeralds have been snowbound at their home, severe cold and drifting snow having isolated them at their place since the forepart of this week.

[From the Glacier Reporter, Feb. 26, 1959]

HEART BUTTE NEWS

(By John Tatsey)

Heart Butte was snowbound last Monday till Thursday when the plows showed up. There were 12 cars behind the snowplows. Stoles was in the bunch.

Les Cobell brought some elk meat Sunday and the people had meat during the blockade.

Snackery Juneau and Henry Burd were out to Heart Butte Monday evening during the blizzard.

Word came that John Tail Feathers was going to have one leg or foot taken off at Great Falls Hospital.

The oil truck from Valier was stuck in a deep coulee which was full of snow Monday afternoon.

Ray Doore and John Powers were drifted in south of Blackfoot and they were washing dishes one evening. Ray took a can thinking it was soap and squeezed into his dishwater and found out it was John's shaving cream.

TRADING COWS FOR A BRIDE

A young man became a single guy last fall and last week he took a notion to use the old Indian custom of paying for a wife, he offered two cows but the mother said she would think it over.

Flex Marceau has been staying with the Marceau boys since their mother's funeral.

[From the Heart Butte News, Feb. 27, 1959]

WINTER ISOLATES HEART BUTTE COMMUNITY

(John Tatsey, Indian Service policeman, writes the Heart Butte community news for the Glacier Reporter, Browning newspaper.)

The Heart Butte community was snowed in off and on. Everyone stayed in pretty close to home.

The remains of Mrs. Maggie Marceau were brought to her home Monday and she was buried at the Heart Butte Catholic Cemetery Wednesday.

Wayne Goss was on a wild-goose chase last Saturday when he got stalled on the short-cut road to Browning between Heart Butte and Swims Under School and left his car and Tatsey took him to town.

James H. Walters was out to Heart Butte Sunday to see about the digging of the grave. He brought four prisoners from his quarters. He had Stoles there for a short time. Stoles is good hearted; he served out his time out Monday digging, but donated 2 extra days for good measure.

There was the Wolf Point Herald paper drifted in the Blackfeet Reservation and there were statements in it where the Sioux and Assinboines are fighting over their tribal councilmen and some of our Democrats in D.C. We would not want to see our good friend MIKE MANSFIELD scalped. Better get a short haircut.

Joe Running Crane rode horseback to the store and went to town on the stage and sent his wife to the agency to get some elk meat, and she had to walk. When he came back, he had two saddle horses waiting for him.

The fuel-oil truck came to Heart Butte School Tuesday to refill tanks from Valier, and another truck also came and brought milk, ice cream, and other dairy products.

Police Tatsey drove to Cut Bank and got his car license and visit Jesse Harlan, but no Jesse, so there was no coffee.

[From the Glacier Reporter, Mar. 5, 1959]

HEART BUTTE NEWS

(By John Tatsey)

Last Sunday was a nice and warm. Lots of people in church and church was overcrowded.

Most people went home when the snow started and stopped in evening. Stick game players came and were forced to stay till Monday morning on account of a blizzard.

Richard and James Little Dog and family were here Sunday and were among the stranded.

Mrs. Langly came home from Great Falls last Sunday where she spent a week on account of the bad weather, first try she got as far as Dupuyer and she had to go back. The next time she came as far as Old Agency when she bumped into a snow bank. She went back and finally made it to Browning.

Mose Gilham and his son Robert who came up from Georgia last week and were walking down the main street of Browning when they met a big fat guy. Mose said that Stoles the one you read so much about. Mose said that Stoles never bums for money. When they got the introduction Stoles said give me 50 cents.

Vick Gregory the teacher left for Missoula Tuesday where he will get married and bring her back to Heart Butte.

There was a story told in Heart Butte. When a fellow went up north of Calgary years ago he camped in timber. From there he left by pack horses and hung up his harness on tree. He came back after 20 years and looked around. No wagon but horses still there. He looked up the trees there was his wagon on top of two pine trees 30 feet up. The story teller is still around Glacier County. May bring back memories.

NATIONAL OUTDOOR RECREATION RESOURCES REVIEW COMMISSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 53, S. 82.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 82) to amend the act of June 28, 1958, to provide for a National Outdoor Recreation Resources Review Commission, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

NEEDED: A BRIGHTER OUTLOOK FOR UNEMPLOYED

Mr. WILEY. Mr. President, I am deeply concerned that, despite the Nation's substantial recovery from its economic setback, there is still a tremendous amount of unemployment, in fact, far too much.

According to the Labor Department, the number of jobless now exceeds about 4.7 million.

In Wisconsin, too, we are suffering as a result of a lag in reemployment. Currently, there are about 76,000, or 5 percent of the working force still out of jobs.

Now the question arises: What shall be done to deal with this situation?

We recall that, yesterday, the President again reemphasized the responsibility of the States for assuming the major share of the burden—as they have in the past—for unemployment compensation programs.

As a Senator from a State which has been a pioneer in establishment of an unemployment compensation program, I naturally have great respect for the State's ability to act responsibly in this field.

As one who represents, in part, not only my whole State, but also the 76,000 unemployed, however, I am deeply concerned with the fact that there are still so many jobless. We recognize that these workers, their families, and indeed, the surrounding communities are facing serious economic hardships. The situation is particularly distressing after unemployment compensation benefits have been exhausted.

As I understand, the House Ways and Means Committee met in executive session this morning to discuss the possibility of extending the temporary unemployment compensation program.

I am informed, too, that hearings are scheduled to begin on April 7 on possible extension of the temporary unemployment program in mid-1958.

The task, now, is to get the necessary action—not only by the States and, as necessary, by the Federal Government—but also by local communities in, first, helping to meet the needs of the jobless while out of work, and, second, to create employment to brighten their future.

A factor of major concern, too, is that, while there has been substantial economic recovery, the rate of reemployment has not kept pace.

This situation deserves serious consideration by Congress, the Department of Labor, the States, industry, labor, as well as the general public.

AWARD TO REPRESENTATIVE CARL ELLIOTT, OF ALABAMA, BY PARENTS' MAGAZINE

Mr. SPARKMAN. Mr. President, the January 1959 issue of Parents' magazine announced an award to three persons for outstanding service to children.

Representative CARL ELLIOTT, who represents the Seventh Congressional District of Alabama, has been named a winner of Parents' magazine's annual medal award "for outstanding service to children." Other winners, announced today, are Dr. Harvey E. White, physics professor who conducts "Continental Classroom," a network educational television program, and Arthur C. Ringland, father of CARE, the postwar foreign relief program.

As chairman of the House Education Subcommitee, Representative Elliott led the fight last August for the passage of the National Defense Education Act, the first major breakthrough in Federal aid to education in 40 years. It authorizes student loans, teaching fellowships, funds for science equipment and foreign language teaching, vocational education, and testing-counseling services.

I ask unanimous consent that there be printed in the RECORD as a part of my remarks the brief announcement regarding the award to Representative ELLIOTT.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

FOR OUTSTANDING SERVICE TO CHILDREN PARENTS' MAGAZINE IS PROUD TO HONOR REPRESENTATIVE CARL ELLIOTT, DEMOCRAT OF ALABAMA

A stanch champion of Federal aid to education, this distinguished legislator from Alabama has worked assiduously over the years to help America's school children. Passage last August of the National Defense Education Act—most important aid-to-education measure enacted by Congress in 40 years—was a singular achievement for Mr. ELLIOTT. As chairman of the House Education Subcommittee, he took the lead in piloting the bill through rough legislative seas. Today and in the future, this 45-year-old lawyer and father of four can be counted on to strive for what he believes—better education for all United States youngsters.

BENEFITS FOR CORPORATIONS BUT NOT FOR SELF-EMPLOYED RESULT IN UNFAIRNESS AND INEQUITY.

Mr. NEUBERGER. Mr. President, on February 24, 1959, the Committee on Ways and Means reported to the House of Representatives H.R. 10, a bill to permit self-employed persons, such as doctors, lawyers, dentists, accountants, veterinarians, and others, to take a current deduction for a limited amount of investment in certain types of retirement annuity or a specific type of retirement trust.

In explaining the need for the bill, the committee stated:

This bill is intended to achieve greater equality of tax treatment between self-employed individuals and employees. Under present law the employees of a business can achieve this postponement of tax on retirement income savings if the employer pays into a qualified pension, profit-sharing, or stock bonus plan what he might otherwise have paid directly to the employees. These amounts can be placed in a tax-exempt pension trust or they can be paid as premiums on an annuity policy with a life insurance company. In either case the business firm gets immediate deductions for amounts contributed to the plan and the employee is not taxable until he draws down his benefits under the plan. An employee is permitted to defer tax in this manner even though he may have a nonforfeitable right to the employer contribution under the plan.

This tax deferment for an employee's interest in a pension, profit-sharing, or stock bonus plan has two important advantages. In the first place, it permits the employee to have a larger initial investment in retirement savings upon which more investment earnings may accumulate. In addition, most employees will be in lower tax brackets after retirement than they are during their productive years. The tax deferment under a qualified plan permits some income from the years in which an employee is likely to be subject to higher surtax rates to be taxed in the retirement years when he may be subject to much lower rates or even may have unused personal exemptions.

I have previously indicated my support of the principle contained in H.R. 10. I wish to reiterate that endorsement today.

Within the past few days I was surprised and disappointed to note, through the press, that the Republican leadership and President Eisenhower oppose this proposal because they claim it would cost the Treasury $365 million annually in revenue. The administration also expressed concern over possible extension of the program.

If this is the position of the administration with regard to this proposal, then it has a clear duty to eliminate the tax privilege now enjoyed by corporations in setting aside retirement funds for their executives and other employees. Employer contributions to pension plans in 1957 amounted to nearly $4 billion. This means that these business firms realized an estimated $1.9 billion in tax benefits as the result of deductions for such contributions, while corporate employees gained materially from deferred taxation. Yet no such opportunity exists for the self-employed. This is unfair and discriminatory.

The administration is firmly opposed to tax-deferment on retirement funds for doctors, writers, dentists, tutors, and other self-employed individuals. Why does the administration permit corporations to use tax-exempt moneys for retirement benefits for corporation officials? The principle of share-and-share-alike is essential to a democratic society, particularly in the collecting of revenues for the operation of government. This principle is violated when an accountant, lawyer, author, or teacher cannot defer taxes on modest sums set aside for old age, but the president or manager of a motor or tobacco company can enjoy very substantial retirement benefits which his corporation has been able to list as a normal business expense under the revenue laws of the United States.

Mr. President, I urge the administration, if it wishes to persist in its opposition to proposals such as H.R. 10, to follow the course of equity and thus eliminate the unfair advantage now enjoyed by corporations and their executives.

Mr. HUMPHREY. Mr. President, will the Senator yield?

Mr. NEUBERGER. I yield.

Mr. HUMPHREY. I compliment the Senator from Oregon upon his remarks relating to H.R. 10, because the argument he has presented is absolutely logical and should be persuasive. If special tax consideration can be given to the large income group at the corporate level, there is no reason in the world why self-employed persons should not receive the same benefits. Like the junior Senator from Oregon, I support the objectives of H.R. 10, and I look forward to the opportunity to vote for it.

Mr. NEUBERGER. I thank the Senator from Minnesota. I am pleased that his great influence and prestige in this body will be used to try to gain this fiscal equity. It seems to me that, if the administration is to say that there shall not be these tax-exempt retirement benefits for self-employed persons, then certainly the same principle should be applied to individuals who are employed by the great industrial corporations. The principle should be share-and-share alike when it comes to tax-free retirement benefits. I thank the able Senator from Minnesota for his support and encouragement.

THE BERLIN TIME BOMB

Mr. YARBOROUGH. Mr. President, not since Pearl Harbor has our country been in such grave peril as it is in today. Not since I have been in Washington have I spoken in the Senate on so grave a subject. Khrushchev and his Communist coconspirators for world dominion have set a time bomb for the West. It

is up to us either to defuse the bomb or to be destroyed by it. His time bomb is his ultimatum that the West get out of West Berlin by May 27. In open violation of the Yalta and Potsdam Agreement, Khrushchev has ordered the Allies out of West Berlin. The soldiers of the United States, of England, and of France, are ordered to pack up their baggage and surrender Free West Berlin to the Communist dictators. We of the West, the United States, England, and France owe a duty to freedom. We are in Berlin by solemn international agreement. We owe a duty to keep the torch of liberty lit in West Berlin. If we let the Iron Curtain of communism engulf West Berlin, we will have seen a second Munich in our time; a second Munich far more terrible and more disastrous in its results than the first.

What is happening in West Berlin? Since the Iron Curtain of communism lowered over East Germany, more than 3 million people have escaped from East Germany to the freedom of West Germany and to the West generally. One quarter of a million people per year flee Communist domination in East Germany and come to the West; most of them come through West Berlin. About 4,000 a week escape from East Germany to the West. Khrushchev has said that he is interested in the people in Berlin, and that, he says, is why we ought to get out. Yes, Khrushchev is interested in the people in Berlin because he does not want these living witnesses, a quarter of a million of them a year, to come to the West, living witnesses, as they are, of the terror and failure of communism. Four thousand of them a week are coming West to tell us of the terror and hardship and cruelty of life back of that Iron Curtain.

Yes, Khrushchev is interested in the people of West Berlin, because he does not want those living witnesses—a quarter of a million of them a year—pouring out to West Germany, mainly through West Berlin.

At this time, as in all periods of grave crisis, all of us stand firmly with President Eisenhower. If the Soviet leaders think they will find us divided in our fight against communism—divided by political parties or divided by political ideology or divided on any other ground—they have made what will prove to be their greatest mistake, and perhaps their fatal mistake. Personally, I think we ought to follow the diplomatic policy of another great President, Theodore Roosevelt, who said, in another international situation of tenseness, "Speak softly, but carry a big stick." When the President defies the Russians, then cuts our military forces, he speaks loudly but carries a little stick.

It is my earnest hope that, as an emergency measure, we shall immediately move to an advanced position of military readiness, and that we shall build up our military preparedness and efficiency. We cannot negotiate from strength if the President continues to insist on military weakness. All of these administration moves to further reduce our military forces should be, at least temporarily, abandoned. We can cut back the Army, and we can balance the budget; but while doing all that, we might lose our liberty.

On the contrary, as a nation, we should work 24 hours a day to build missiles of diplomacy and to prepare for war, as a power for peace. But, Mr. President, we are not building missiles of diplomacy when we do not build any missiles at all.

As the greatest Nation on the face of the earth, we cannot fail here to hold high the torch of freedom, to light the way for freemen around the world.

We are the only Nation that has the strength to save West Berlin; and the free world is looking and watching to see whether we will have the resolution and the courage to do so. We will not fail to be ready, and to fight, if forced to, for the heritage for which our forefathers fought and gave their last full measure of devotion.

Mr. President, in this hour of peril, it is discouraging to hear the President recommend budget cuts that amounts to saying Let us weaken our military defenses.

Mr. President, one of the finest and most decisive editorials I have read on this subject was published this morning in the Washington Post. The editorial is entitled "Mr. Eisenhower's Defense." I ask unanimous consent that the editorial be printed at this point in the RECORD, in connection with my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Mar. 12, 1959]

MR. EISENHOWER'S DEFENSE

The impassioned statement by President Eisenhower yesterday on defense spending leaves no doubt as to the sincerity and depth of his feeling. Whatever one may think of his arguments, the Chief Executive certainly has been exhibiting vigor in his recent and more regular news conferences. Even if there were a surplus in the Treasury, he said, he would not put more money into the Armed Forces although he might spend more on aid to our allies. He regards the criticisms of his defense policy as something bordering upon hysteria, and he pleads with critics in Congress and elsewhere to calm down.

In the present situation respecting Berlin, obviously, it is imperative to present a united front. The President, as Commander in Chief, has made plain his determination to resist any intimidation by the Soviet Union. Most of the proposals in Congress would not materially improve the American military posture in the near future in any event. It is important that Mr. Khrushchev not be misled by the criticisms into thinking that there is any ambiguity in the country's support of the President over the Berlin issue.

Beyond that consideration, let us put aside the immediate circumstances of the President's ire yesterday and analyze his case from a longer range standpoint. Mr. Eisenhower wants to avoid both provocation and undue excitement. Evidently he views the Soviet threat over Berlin as one of a series of Communist pushes similar to the Chinese threat over Quemoy, and he believes that a firm stand and steady nerves will cause the Soviet leaders to back away. There is much to be said for this view on the basis of past experience.

Similarly, the President believes that defense should be a planned and constant program that does not vacillate up and down with the exigencies of the moment. This is a sound theme often stressed by Gen. George C. Marshall. Mr. Eisenhower also makes a telling point in challenging those who want more defense spending to advocate a tax increase (although the actual need for an increase at this time is not clear, and although some believers in a strengthened defense, including this newspaper, have already faced the tax issue).

Further, the President evidently concludes that there can be no limited war directly between the United States and the Soviet Union. It would be folly, he insists, for this country to become involved in a ground war with the 175 Soviet divisions, although he does not believe that a nuclear war over Berlin would free anything.

If these are the principal arguments of the President apart from concern over a balanced budget—to which he still shows extraordinary devotion even though the balance of his own budget is in many ways phony—what are the arguments on the side of increased defense? In this newpaper's opinion they fall into two categories, protection against actual danger, and improvement in the American negotiating position.

First, there is the possibility of miscalculation by the Soviet Union. Surely it is in the interest of this country, even with its capability for all-out nuclear war, to be able to respond with something less if the situation warrants. It is quite true that in present circumstances the Western Allies could not match the Soviet divisions, and they would be foolish to try. But situations are conceivable in which it might be to the interest of both sides to keep a ground clash limited. The casualties from all-out nuclear war, in the unhappy event that one should develop, surely would surpass any imaginable casualties in limited war, on the ground or otherwise.

Even if a direct clash with the Soviet Union is excluded, there is a strong case for adequate limited war forces to cope with clashes on the periphery. If Mr. Khrushchev were led to believe that this country would have only an all-out response, he might be tempted to nibble—or to induce others to nibble—in the thought that the President would not make the terrifying decision to unleash nuclear war that probably would result in devastation of this country too.

Second, there are the perils of the missile gap itself. If the Soviet leaders were to think that the United States were far behind in the race, that its manned bombers were being outmoded by improved air defenses and that its missiles were cumbersome and in soft fixed bases, they might at some point take the gamble to strike. Whether the gamble would be a frightful mistake, and whether we would be able to reduce the Soviet Union to ashes in retaliation, would not matter very much once the fearful step were taken.

Even more important, in this newspaper's opinion, are the psychological considerations. Few persons seriously think that the Soviet Union is about to rain war on the United States or Western Europe tomorrow morning. But a great many persons, including responsible men of both parties in Congress, are concerned because they see their country slipping into a second-best position.

Secretary McElroy has acknowledged that there will be a missile gap and that it is administration policy to accept that situation. Both he and the President have indicated a low priority for limited war preparedness. Members of the Joint Chiefs of Staff have stated their reservations about the new budget—and, incidentally, it is to be hoped that they will not be disadvantaged because they have stated their honest views in response to questioning from Congress. They may not be right, but Congress is entitled to know their thinking.

The purpose of a defense program, of course, is to avoid war. A deterrent that did not deter an enemy from starting a war would be useless; all the retaliation we might be able to unleash would not compensate for the initial blunder. The fundamental American objective, apart from preventing

attack, is to make possible realistic negotiations toward some reduction of war dangers. Mr. Eisenhower himself has been eloquent in voicing such a wish.

But the experience with the Soviet sputnik and intercontinental missile should have convinced us by now that the Soviet leaders are altogether unlikely to be reasonable if they think they can browbeat the United States and its allies. That is the real problem of the missile gap and the lack of limited war preparedness and such ancillary issues as the reductions in military manpower—not that they make attack imminent, but that they disarm the United States psychologically and render the American negotiating position far more difficult on a host of issues far beyond Berlin. When the administration willingly accepts a second-best position for the United States, it is time to take notice.

The basic question boils down to whether the country is willing to pay an insurance premium, which in this instance would amount at most to an additional $2 billion in fiscal 1960. Congress cannot compel the President to spend more money for defense, but it can seek to persuade the President with an emphatic statement of its belief in the need for an expanded and more flexible missile program along with more attention to limited war requirements. If congressional leaders will combine a reasoned program embodying the conviction of many Members with proposals for additional taxes if necessary to finance such a program, can anyone doubt that the American people will support it?

Mr. KEATING. Mr. President, will the Senator from Texas yield to me?

The PRESIDING OFFICER (Mr. BIBLE in the chair). Does the Senator from Texas yield to the Senator from New York?

Mr. YARBOROUGH. I yield.

Mr. KEATING. In his presentation, the Senator from Texas made the statement that he regretted to hear the President say that we should weaken our defenses. I have never heard any such statement by the President. There may be a difference of viewpoint between various military officials, and perhaps between the Senator from Texas and myself, over the particular allocations of funds for the defense of our country. But certainly the President of the United States has never made such a statement.

Mr. YARBOROUGH. Mr. President, I did not quote the President as saying that we should weaken our defenses. I said the effect of the President's recommendation of reduced military expenditures would have the effect of saying that we would weaken the defenses of the United States, and that we should, instead, build them up at this time.

This is no time to weaken our defenses. Certainly we cannot effectively negotiate with the Russians over West Berlin at the same time that we are weakening our military defenses.

When we fired the very small satellite past the moon, the Army's representatives said, "At last we have gotten back in the same league with the Russians, as regards missiles." There was no statement that we had caught up with them.

The administration seems to take the attitude, as regards missiles, that we shall permanently take second place to the Russians, for the administration continues to talk about how many years it will take us to catch up. I think we should have a "crash" program, regardless of what it may cost, so that we will catch up.

The fine editorial published today in the Washington Post states it might cost $2 billion a year. Suppose it does. In the case of a nation with a gross national product of approximately $450 billion a year, suppose it were to cost $5 billion or $10 billion a year, even that much would be a cheap price to pay for the liberty of our Nation. Even if it cost $50 billion, that would be only one-ninth of our gross national product.

Mr. KEATING. Mr. President, will the Senator from Texas yield again?

Mr. YARBOROUGH. I yield.

Mr. KEATING. I do not know of one Senator who would not place the safety of the country above budget balancing or any other consideration, nor would the President of the United States. He has recommended expenditures less than the expenditures of the preceding year. The question is how far we are to proceed with this, that, or the other element of our national defense. That is a subject upon which reasonable men may differ. But certainly to charge, even by implication, that the President of the United States is seeking to weaken our natitonal defense is entirely unjustified, in my opinion.

Mr. YARBOROUGH. When it is known that the Russians have 175 ground divisions ready for combat, and equipped with the most modern tanks and other implements of war; and when we have recommendations, from the Executive, to cut back the meager hundreds of thousands of our ground forces, how can it be said that that will not weaken the defenses of the United States?

Mr. KEATING. Mr. President, will the Senator from Texas yield again?

Mr. YARBOROUGH. I yield for a question.

Mr. KEATING. Does the Senator from Texas feel that if we had an additional 25,000 or 30,000 men in the Army or in the Marine Corps, that would have anything to do with the defense of Berlin?

Mr. YARBOROUGH. Certainly. I think that if we weaken one point on the perimeter of our defense—whether it be the Army, the Marine Corps, the Navy, or the Air Force—if only one segment is weakened, the whole will be weakened. In my opinion, our armed forces are now down to the absolute minimum.

We must remember that sudden peril calls for an enlargement of our military forces. In such a case, we must have some men in uniform, and trained, in order to be able to train the new recruits. But in view of the present rapid turnover—with our young men coming into the services for two years, and then leaving—the forces we now have are scarcely large enough for the necessary training groups, the irreplaceable cadre that is required to train the young men who are coming into our armed services.

Mr. KEATING. Mr. President, will the Senator from Texas yield again to me?

The PRESIDING OFFICER (Mr. MCNAMARA in the chair). Does the Senator from Texas yield again to the Senator from New York?

Mr. YARBOROUGH. I yield.

Mr. KEATING. Will the Senator from Texas explain how he would expect to deploy any additional forces of foot soldiers in Berlin—in an area where we do not have control of the perimeter—and how the addition of a certain number of men to our ground troops at this time would have anything to do with the defense of Berlin? I am not talking about the overall effect of additional ground forces. But the statements that additional troops would have anything to do with the defense of Berlin is, in my judgment, entirely beside the point.

Mr. YARBOROUGH. Of course, not being a military tactician, I have not attempted to say just how those men would be used in the perimeter of Berlin. Naturally, that is a function of the generals. But the military have testified that they need these forces; and I think the rationale of history shows beyond peradventure of doubt that we need all the troops we now have; in fact, if anything, we need more.

In the case of missiles, we are certainly behind; and certainly we need to expand our missile development and research and other missile work all along the line; and we need additional funds to modernize the weapons of our ground forces and the weapons of all our other forces.

Mr. KEATING. Mr. President, will the Senator from Texas yield again to me?

Mr. YARBOROUGH. I yield.

Mr. KEATING. As to the number of men we need for our military defense, I am not talking about that subject at all. I am addressing myself to the remarks of the Senator from Texas, which are quite similar to other remarks we hear so often these days—namely, that we are weakening the defense of Berlin by not bringing additional ground forces into the Army and the Marine Corps. In my judgment that has nothing whatever to do with the defense of Berlin and there would be no way to deploy large numbers of additional forces in the Berlin area, nor would the men be prepared to be deployed there, under the existing state of affairs.

Mr. YARBOROUGH. Mr. President, the senior Senator from New York seems to argue that the forces we now have in Berlin and West Germany are considered as separate from the rest of the defenses of the United States. We have men deployed in 73 nations; and all of them are members of the Armed Forces of the United States. In Korea, the situation has reached the point where we have to take into our forces—the two infantry divisions we have there—a large percentage of Koreans, simply because we do not have enough American soldiers there to fill out those two divisions, which are there for the preservation of democracy in South Korea.

Now to pull that down, to weaken in any respect the meager, inadequate forces we have, will certainly weaken the defenses of this country. What are we doing to mobilize planes against the probability that we should have to again

supply West Berlin by airlift, as we did before? We are doing nothing about it. We are talking about standing firm in West Berlin, and yet we are getting recommendations from the executive branch to further reduce our conventional Armed Forces. It is a course of weakness, not of strength.

VOTING RIGHTS FOR RESIDENTS OF DISTRICT OF COLUMBIA

Mr. HUMPHREY obtained the floor.

Mr. BEALL. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Maryland, with the understanding that I do not lose the floor.

Mr. BEALL. I thank the Senator from Minnesota for yielding to me.

Mr. President, last night the Senate approved statehood for Hawaii. In the last session of Congress the Senate approved statehood for Alaska. All of which is very fine, and I was very happy to join with the majority in voting for statehood for both Territories. The Senate voted to give Alaska statehood, and to give Hawaii statehood, but here in our Nation's capital we prohibit residents from having the franchise or the right to vote. It does seem to me ironical and unfair, because in the District of Columbia there are as many citizens as there are in Hawaii and Alaska combined. Yet Congress declines to give residents of our Nation's capital full citizenship rights.

Although I am the sponsor of one bill to give the franchise to District of Columbia residents, I am not speaking for my bill or for any other particular bill, but I think the time has long since passed when the citizens of the District of Columbia should obtain the right to vote. I think it is apropos, at a time when the Senate has favorably acted on granting statehood to other Territories, to bring to the attention of the Senate, and particularly the other body of Congress, that the people of the District of Columbia are certainly as much Americans as are any other citizens.

Mr. BIBLE. Mr. President will the Senator yield?

Mr. BEALL. I do not have the floor. The Senator from Minnesota has the floor.

Mr. HUMPHREY. I am happy to yield to the distinguished Senator from Nevada.

Mr. BIBLE. I simply desire to concur in everything the very distinguished Senator from Maryland has said concerning the problem of home rule in the District of Columbia. I know of his perseverance and his deep interest in trying to get home rule for the District of Columbia.

As the Senator from Maryland is well aware, home rule bills of various types have been passed by the Senate. Four such bills were passed by the Senate in recent years. There are presently before the Senate District of Columbia Committee and the Senate Judiciary Committee several home rule and national representation bills of varying types.

I am hopeful that this year, a year in which we shall add a 50th star to the flag by the admission of Hawaii, which will probably be accomplished legislativewise on this very day, at least the home rule movement will receive far more consideration from both sides of Congress than it has in the past. I think the record of the Senator from Maryland in that respect is excellent. I hope the climate this year is such that the approximately 800,000 disfranchised people of the District of Columbia, living in the Nation's great Capital City, will be granted the right to vote and to have a say in their Government.

As the Senator from Maryland so well knows, it is a paradox to have residing here in the heart of the world a group of people who do not have the right of self-government. I certainly hope that condition will be remedied this year.

Mr. CLARK. Mr. President, will the Senator from Minnesota yield to me briefly?

Mr. HUMPHREY. First, may I yield to the Senator from Maryland, and then I shall be glad to yield to the Senator from Pennsylvania.

Mr. BEALL. I thank the Senator from Nevada for his remarks. As chairman of the Senate Committee on the District of Columbia, he has been an ardent supporter of home rule and has cooperated in every way possible. Under his leadership, we are trying to move forward this year.

Mr. HUMPHREY. I yield now to the Senator from Pennsylvania.

Mr. CLARK. I thank the Senator from Minnesota for yielding to me.

As a former member of the Committee on the District of Columbia, and as one who still has the interests of the District of Columbia very much at heart, I should like to associate myself with the comments which have just been made by the Senator from Maryland [Mr. BEALL] and the Senator from Nevada [Mr. BIBLE]. In addition, I should like to observe that yesterday we got rid of practically what remained of American colonialism. America no longer is a colonial power so far as Hawaii and Alaska are concerned, but we still have this one little colony here in the District of Columbia, which we do not permit to enjoy the same right of home rule which the British Empire grants to areas in darkest Africa, but in addition, we put our colony on short rations.

As our friends who are still on the District of Columbia Committee realize, the District of Columbia needs a minimum of $32 million a year of Federal funds in order to maintain a decent budget and to furnish the services which are badly needed in the District of Columbia. Yet last year the joint efforts of the Senator from Maryland, the Senator from Nevada, other members of the District of Columbia Committee, and myself, were unavailing in obtaining more than $20 million from the Federal Government as its just and equitable share.

So I should like again to associate myself with the thoughts of my two colleagues, and to urge that this year we accord at least the same kind of equitable treatment to the District of Columbia as we have just given to Alaska and Hawaii.

The PRESIDING OFFICER. The Senator from Minnesota has the floor. Does he yield for a question? Does the Senator from Pennsylvania desire to ask a question?

Mr. CLARK. Mr. President, would the Senator from Minnesota like to have the floor back?

Mr. HUMPHREY. Yes.

Mr. President, this colloquy in reference to home rule for the people of the District of Columbia is one which so deeply interests me that I, too, wish to associate myself with the remarks of the distinguished chairman of the Committee on the District of Columbia [Mr. BIBLE] and with the remarks of the ranking Republican member of that committee [Mr. BEALL], and of course, with the remarks of the Senator from Pennsylvania [Mr. CLARK].

I cannot for the life of me understand why we have been so dilatory in our responsibilies to the cause of self-government as to have denied the residents of the District of Columbia an opportunity to become full-fledged American citizens. It appears to me that if we cannot accomplish it by legislation, there is only one other way to do it, and that is by constitutional amendment.

I think it would be well for the Committee on the District of Columbia to entertain and act upon a resolution in the form of a constitutional amendment which would unqualifiedly give residents of the District of Columbia a full franchise and at the same time give them an opportunity for local self-government on any terms they may want.

I think this is long overdue. I make this recommendation in good spirit and good faith.

Mr. BIBLE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield.

Mr. BIBLE. This is a suggestion which has been before the committee at various times. I assure the Senator it is a suggestion which has considerable merit. Failing a straight-up legislative reform in this direction, it may well be that the constitutional approach is the correct answer. That approach will receive the careful attention of our committee. I thank the Senator from Minnesota, because I know of his advocacy and real interest in the problem of home rule and self-government in the District of Columbia.

Mr. HUMPHREY. If it is the desire of those who are responsible for the committee's actions to take an approach on the constitutional amendment basis, I should like to associate myself with that endeavor. I think such a proposal would pass in short order, because the people of the United States of America, which is soon to embrace 50 States, I am sure want to give others what they receive themselves, namely, sovereign powers of self-government in their respective jurisdictions.

Mr. BIBLE. I thank the Senator.

MR. ALSOP'S REJOINDER TO MR. BENSON

Mr. HUMPHREY. Mr. President, in the New York Herald Tribune of this morning, March 12, 1959, there was published a letter to the editor entitled "Mr. Alsop's Rejoinder to Mr. Benson." This letter is signed by one of the Nation's most noted and famed columnists, Mr. Joseph Alsop.

The letter to the editor is in response to the letter to the editor of some 2 days ago by the Secretary of Agriculture, Mr. Ezra Taft Benson.

Mr. Alsop has seen fit to answer the charges and comments of the Secretary of Agriculture. The Alsop letter indeed presents a devastating argument against the program of the Secretary of Agriculture.

Mr. Alsop, of course, like all the rest of us, has a high personal regard for the Secretary in terms of the private convictions and personal life of the Secretary of Agriculture. Nevertheless, as Mr. Alsop clearly points out:

When a public official makes a thorough mess, the time comes when the fact of the mess has to be faced, even if the public official is a worthy, religious, and not uncourageous man. That is the best way to sum up the Benson problem.

The letter is so concise and persuasive I believe it would be better to let it stand on its own, rather than to have further elaboration. I therefore ask unanimous consent that the letter be printed in the RECORD.

The PRESIDING OFFICER (Mr. HART in the chair). Is there objection to the request of the Senator from Minnesota?

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MR. ALSOP'S REJOINDER TO MR. BENSON

TO THE NEW YORK HERALD TRIBUNE:

A reply is fairly insistently demanded by Secretary of Agriculture Benson's letter to the editor of 2 days ago. Three points deserve comment.

First of all, Secretary Benson strangely disclaims all responsibility for everything that has happened at the Agriculture Department during his term of office, saying that "the Benson program has never been allowed to go into effect" by Congress. This is simply not true. Of 53 counted requests that Secretary Benson has made to Congress, only 5, and none of those of first importance, have been rejected. The rest have been granted, in whole or in part. The Republican Congress of 1954 gave the Secretary most of the authority he at first requested to adopt the so-called flexible parity principle. A Democratic Congress approved his soil-bank plan, which turned out to be so faulty and wasteful that it was quietly discarded.

What happened in 1954 is perhaps the best test. The Secretary then requested authority to flex parity from 90 percent down to 70 percent. The Congress voted a compromise, allowing flexing down to 82.5 percent the first year, and 75 percent the second year. Since then, further congressional action has permitted still further flexing, so that parity payments now average just about 70 percent, thus standing at the lowest level the Secretary originally told Congress he wanted. Secretary Benson has not been given carte blanche by Congress, but he has been given a very great deal; and the results have been appalling.

In the second place, any Cabinet officer in Secretary Benson's situation has a clear duty to present a detailed program that he believes will work, if he discovers that the program he is administering is not working. Instead, Benson has let his surpluses fantastically accumulate. He has permitted the over-all cost of the agriculture program to double and triple since President Truman left office. He has tolerated the frustration of the only sensible aim of any agricultural program, the conservation and promotion of independent farming in this country. And except for the disastrous soil bank, he has never offered anything worth arguing about, except further doses of the same medicine that did not work when he first prescribed it in 1954.

Finally, I say these things with some shame, for the quite simple reason that I was a strong and vocal supporter of Secretary Benson during all his first years in office. Like many others, I supported him because I thought he meant to remove the anomalies of the earlier, Democratic farm programs. No doubt this was his intention. I am now ashamed because it took me too long to notice that Benson's good intention was in the class that Dr. Johnson said formed the pavement of Hell. His efforts to remove past anomalies and extravagances have in fact produced even greater present anomalies and extravagances. On this point, the downright horrendous figures of increase of Agriculture Department expenditure under Benson ought to speak for themselves to any reasonable person.

When a public official makes a thorough mess, the time comes when the fact of the mess has to be faced, even if the public official is a worthy, religious, and not uncourageous man. That is the best way to sum up the Benson problem.

JOSEPH ALSOP.

WASHINGTON.

GENEVA NUCLEAR TEST BAN NEGOTIATIONS PROPOSALS TO BREAK PRESENT IMPASSE

Mr. HUMPHREY. Mr. President, I wish to address myself to the subject of the Geneva nuclear test ban negotiations, citing what I believe to be some possible proposals to break the present impasse.

Mr. President, negotiations for a treaty for the discontinuance of nuclear weapons tests are still going on in Geneva. Representatives of the United States, the United Kingdom, and the Soviet Union are in their fifth month of meetings. Progress in the negotiations has been painfully slow. In the last week or two progress seems to have halted altogether. Many commentators have concluded that the negotiations are doomed, and that the negotiators might just as well pack their bags and return to their countries.

It is true that the Geneva test ban talks are stalled, but they are not completely stalemated. To break them off now would be a serious mistake.

It seemed last summer that the Soviet Union wanted a mutual suspension of nuclear weapons tests. But unfortunately, the Soviet Union is now having an extremely difficult time facing up to the necessary implications of an effective system of control. The Soviet Union keeps insisting that each of the Big Three—the U.S.A., U.K., and U.S.S.R.—must have a veto over such decisions of the control organization as whether an onsite inspection of an unidentified event should take place. The overwhelming majority of Americans are united in the belief that such a veto must not be a part of any agreement on the cessation of nuclear weapons tests.

Mr. President, I digress to point out that we are aware what a veto power can do to an international organization. We have witnessed the abuses of the veto in the Security Council of the United Nations. Those abuses have been perpetrated by the Soviet Union. It is understandable that the negotiators of the United States and the United Kingdom would not want to accede to a request or a demand on the part of the Soviets that there be a further use of a veto in an international control and supervisory organization.

We are willing to yield to others the right to inspect on our territory, and we would not rest secure unless we had the right to satisfy ourselves by adequate investigation, through a trusted international agency that no violations had occurred.

The Soviet Union has taken a position which draws no support from any part of the non-Communist world. It is losing all of the good will it has created by its advocacy of a test ban over a period of years, particularly in the so-called neutral nations. In my judgment it is still too early to determine that the Soviet Union will persist in this completely negative position. The Geneva talks, therefore, I respectfully say, should not be terminated. The United States must continue to probe and to explore every possible and reasonable means for an adequate and effective agreement. If the negotiations are to fail the responsibility for failure must lie with the Soviet Union in its obstinate and intransigent refusal to reconcile differences for a workable program for inspection and control.

In judging the progress of the test ban negotiations it is important to compare them with other negotiations conducted with the Soviet Union or the Soviet bloc. The Korean armistice was reached after 2 years of off-and-on negotiation. The Austrian peace treaty was finally concluded after hundreds of meetings. The Zarubin-Lacy agreement on the exchange of persons between the Soviet Union and the United States was inspired by the summit talks of 1955, but the agreement was not signed until 1958.

This morning it was my privilege to address the War College. During the discussion which followed, I answered a question in reference to the negotiations on the nuclear test ban. I pointed out to the gentleman who asked me a questio as to how long we should continue such negotiations that Americans must be prepared for long-run, long-duration, tedious, and at times very distressing negotiations when we sit down with the Soviet representatives. In a rather facetious, and yet an almost symbolic way, I said, "It might be a good idea to give our negotiators a paid-up social security old-age insurance policy before they sit down for negotiations."

The prospects are that the period of negotiations will be extremely long. Nevertheless, this is a good use of time and talent, because in negotiations at least one has as an objective the solution

of problems, or at any rate their alleviation, rather than the aggravation of problems and their further extension. It seems to me this is a small price to pay in the quest for a just and enduring peace. It is a small price to pay for an attempt to ease international tensions.

So I say that no matter what the issue, whether it be the crisis in Germany or Berlin, or whether it be the test ban question, we must be prepared, first, for long, tedious, arduous negotiations with people who are suspicious, who will examine meticulously every word we say, and who are obviously going to do everything they can to negotiate favorably for the Soviets. We ourselves must be on guard lest in such negotiations we despair and therefore seek to obtain an agreement merely for the sake of an agreement.

What I am trying to say is that the agreement must be carefully worked out, and measured with meticulous detail as to every point, so that we may know the agreement has more assets than liabilities.

I am opposed to seeking agreements merely for the sake of being able to say that we have reached an agreement. This has caused us trouble in the past, and it can cause us trouble in the future. Better that we should negotiate interminably than to sign agreements which lend themselves to violation, or to interests contrary to the national security and the security of our allies.

I believe that this is a worthy admonition to any of our negotiators; and it seems proper that it be stated again and again in the Senate.

A test ban is a more difficult and delicate agreement to achieve than the agreements to which I have previously referred. It lies within the sensitive area of disarmament, which goes to the very heart of the international power balance. It would result in international inspectors stationed in the United States, the Soviet Union, and elsewhere for the purpose of checking on possible violations of the agreement. This has never before occurred in either country, or any other country. We have been seeking disarmament agreements since the immediate postwar era, and negotiations of one sort or another have continued intermittently for 13 years. So I respectfully say that a delay of a few more weeks or months must be viewed with philosophy and patience, in view of this long history. Perhaps it would be better to say "philosophical patience." This is an endurance race, not a sprint.

TEST BAN AGREEMENT—A POLITICAL BREAKTHROUGH

The test ban agreement could represent a significant political breakthrough. We must constantly remind ourselves that the Geneva negotiations represent much more than an effort to conclude an agreement to discontinue nuclear weapons tests. Such an agreement could be signed quickly, but it would not be adequate. If an agreement to stop nuclear weapons tests under a trustworthy system of inspection and control could be realized it would be the most significant political breakthrough in the 13 years of the cold war. I made this point a year ago in a speech on the Senate floor, and I reiterate it today.

A test ban agreement would alert the people of the world to the fact that a small step had finally been taken to penetrate the atmosphere of distrust and tension existing in the world. Our penetration of outer space to date has progressed much faster than our penetration of the cold war atmosphere on earth.

The Soviet Union must be reminded that agreement on a control system to end nuclear weapons tests will give promise that other cold war issues might be removed. But if agreement on a control system cannot be realized, then the hope for accommodation on other issues becomes indefinitely more remote. A test ban agreement would enable any future summit conference, or any future foreign ministers conference, dealing with the question of European security to be held under much more favorable conditions than now is the case.

In other words, if between now and May 27 a test ban agreement with effective controls and inspection could be arrived at that would be satisfactory to our officials as well as those of the United Kingdom and the Soviet Union, then, indeed, the prospect for peace and some kind of equitable adjustments in the instance of Berlin and Germany would appear to be much better.

I can think of nothing that would give the world more hope that there could be a peaceful and just resolution of some of the difficulties which currently exist in the Central European areas than an agreement, including effective controls and inspection, on the issue of nuclear tests. This would be a ray of hope in 1959 that could literally light the world.

Those who want to see some first step arms control agreement should make the point as forcibly as they can, that if a test ban agreement cannot be concluded because the Soviet Union will not accept a workable and effective control and inspection system, then the world, for the present, may be denied any agreement on any issue. There are many who are skeptical that any disarmament agreement can be reached in a period of tension among the major powers. I recognize that the weight of history and of logic tend to be on their side. The Soviet Union, if it persists in its attitude demanding a veto, will furnish proof that even a small step cannot be agreed upon; and if the arms race is to be slowed down and the tension is to be removed it must be removed in other ways. I may add that the prospects for such an agreement would then be remote, indeed.

I do not disagree with the skeptics. I too am skeptical. But I have not yet given up hope. Five months of negotiation is not a very long period in terms of negotiating with the Soviet Union. It is possible that if the Soviets refuse to budge even a little the talks should be recessed for a few weeks or a few months, although even this would be premature at this time.

FUNDAMENTAL REQUIREMENTS OF A TEST BAN AGREEMENT

Neither the Soviet Union nor any other country should have a veto over the operations of the control system. Furthermore, the control system must include the right of on-site inspection of unidentified events which might be suspicious of being nuclear explosions. The control posts and inspection teams must be staffed on an international basis so that all countries will have confidence that the system is being operated on an objective and impartial basis, and that its personnel are motivated toward diligent and accurate fact searching. The control system must also include provision for its technical improvement. Without improvements and adjustments based on increased knowledge and research the countries of the world will not learn of additional possibilities as well as additional difficulties of detection and identification of nuclear weapons tests. Finally, the agreement on the discontinuance of nuclear weapons tests needs to contain procedures by which the agreement and the control system will be extended to other countries and areas in which nuclear tests might possibly take place in the future.

PRAISE FOR UNITED STATES NEGOTIATION AT GENEVA

Mr. President, I wish to say a few words in praise of the United States negotiators and the negotiations at Geneva. I have cited what appear to me to be the fundamental prerequisites of a treaty to stop all nuclear weapons tests. The United States negotiators at Geneva have done a commendable job thus far in attempting to negotiate with a difficult and oftentimes intransigent opponent. Ambassador Wadsworth and his able associates have stood firm on the fundamentals I have mentioned while being conciliatory and flexible on those points which are not so basic. Our negotiators have had a particularly difficult task when one considers the confusion and bickering which have gone on back in Washington during much of the negotiating period. Certain departments of Government have been quite vocal in expressing their doubts regarding the official position of the United States. But our delegation has persisted, and I believe it must continue to persist until the Soviets clearly show that they are not prepared to sign an agreement to end all nuclear weapons tests under an effective system of control.

If the time comes when the last hope of an effective agreement is removed—and I believe that time has not yet come—then the United States must consider what alternatives should be pursued. Two alternatives worthy of very serious consideration have already been submitted by two of my distinguished colleagues on the Committee on Foreign Relations.

The Senator from Oklahoma [Mr. GORE] has suggested that the United States unilaterally decide for a period of 3 years to stop all nuclear tests in the atmosphere, and during this period continue to leave the door open for a cessation of tests under the more difficult conditions of detection, those underground and at high altitudes. The Senator from Oklahoma is to be complimented on his foresight and his imaginative proposal.

The Senator from Idaho [Mr. CHURCH] has offered the proposal that the United States be prepared to negotiate from an alternative position. He proposes an international agreement, as contrasted with unilateral action, which would ban atmospheric tests under a system of control that would necessarily be much less extensive than an agreement which covered underground tests. If the Soviets want a less extensive control system, then a ban on atmospheric tests only may be the most that can be obtained at this time. Again, Mr. President, the Senator from Idaho has made a constructive proposal and suggestion relating to these negotiations.

Both of these suggestions merit very serious consideration. They might well be adopted as official policy if it becomes apparent that the Soviets will not accept effective control and inspection over the cessation of all nuclear tests.

SENATE ROLE CRITICAL IN TEST BAN TALKS

The role of the Senate is a very critical and a very vital role. The suggestions of the Senator from Oklahoma [Mr. GORE] and the Senator from Idaho [Mr. CHURCH] indicate the earnestness with which we in the Senate view the Geneva negotiations. Indeed, other Senators also have made proposals and suggestions, and that is all to the good. Ordinarily members of the Senate could sit back and simply state that the Geneva negotiations are a function of the executive branch, that how they are conducted and whether they succeed or fail are not primarily the business of the Congress. Some might even argue that congressional suggestions during the course of negotiations are out of order—I certainly do not so argue; in fact, I believe they are very much in order—and that the Congress should only be involved in an agreement after it has been concluded and submitted to the Senate for ratification.

Mr. President, the time is long past when the Senate can or should sit idly by and withhold discussion and constructive suggestions on treaties until engrossed copies are formally submitted. Obviously the Senate cannot conduct the negotiations and cannot try to pass approval or disapproval on each minor point that is raised. But a treaty on such a crucial matter as the cessation of nuclear weapons tests should not be considered by the Senate on a rubberstamp basis. On the other hand, we cannot take lightly the very unfortunate consequences of Senate refusal to ratify such a treaty once it has been negotiated by the executive officials and signed by the executive officials. Therefore, the Members of the Senate who are most involved in the question have a duty and a responsibility to discuss before this body and before the public, some of the crucial issues raised in the negotiations. We cannot abdicate our constitutional duty to advise as well as to consent on the making of treaties. That is why Senator GORE and Senator CHURCH have made such a distinct contribution by offering their proposals to the President for consideration.

LETTER OF SENATOR HUMPHREY TO THE PRESIDENT

In the same spirit, from time to time, I have also offered suggestions on aspects of the arms-control problem and particularly on the suspension of nuclear-weapons tests. Last Friday I wrote to the President regarding the Geneva test-ban negotiations. My point in writing was twofold: First, I wished to share with the President some of my observations on the gross distortions of the recent speech of Premier Khrushchev, a major part of which dealt with the test-ban talks. Second, I wanted to suggest two points which would, on the one hand, in my opinion, protect the United States interests and, on the other, show the Soviets that we are at all times prepared to be reasonable, conciliatory, and sincere in trying to reach a workable and trustworthy agreement.

I am sure that my colleagues know that I give a good deal of time and, I trust, sincere and serious thought to these problems relating to disarmament questions; in fact, to the whole broad question of our arms policy and related control measures.

It is in this spirit and with this background that I address myself to this rather difficult subject. I ask unanimous consent that my letter to President Eisenhower of last Friday be inserted at this point in my remarks.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MARCH 5, 1959.

THE PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: As you know I have been following with intense interest the negotiations in Geneva to draft a treaty for the discontinuance of nuclear weapons tests. Not in 13 long years of effort and hope has the world been so close to an agreement, though small in scope, on the subject of arms control. If these talks fail it may be difficult to convene future talks among the major powers on this subject.

It is apparent that at this point in the Geneva negotiations the Soviet Union is demonstrating a highly inflexible attitude. No indication has yet been given that the Soviets are prepared to accept the most fundamental principle of a control system, namely the right of on-site inspection of unidentified events which could be suspected of being nuclear exposions. If the Soviets have in mind a control system in which no inspection takes place, or if it does, only after prolonged delay, then it is regretful but apparently true that they are determined that no effective control can be a part of any disarmament agreement. If this is the case, then the Soviet Government must bear the responsibility for the failure to realize a first step to ease the pace of the present armaments race.

Premier Khrushchev, in his recent speech before representatives of the Kalinin constituency of Moscow, engaged in a gross distortion of the Western position on the ending of nuclear weapons tests.

For example, Premier Khrushchev misrepresented the Western position when he indicated that since "neither the United States, nor Great Britain would agree that, for example, the Soviet Union should force decisions upon them which touch upon the sovereignty and security of these states * * * then there is only one way out—agreement on decisions * * *." Is it not true that he has already been told by the United States and the United Kingdom representatives that we are prepared to submit to the recommendations of the control commission, and that we are prepared to trust the judgment and integrity of the countries on the control Commission?

Mr. Khrushchev also distorted the facts when he claimed regarding the staffing at control posts that the United States and United Kingdom "want to set up posts on our territory which would be staffed entirely by foreigners who would in effect be undisputed masters in their zone." Then he went on to make the preposterous statement that "it follows that our entire territory would be subjected to complete supervision by foreigners and, in view of the fact, these foreigners would be under the command of American and Britons forming part of the NATO leadership, it means that we would have to hand over our territory to supervision by the aggressive NATO bloc."

Mr. Khrushchev must have been told that the staffing at control posts will not be composed only of U.S. and U.K. personnel. I thought the staffing was to be recruited from many countries, and that the composition with respect to nationalities would be about the same in the United States as it would be in the Soviet Union. I am under the impression that the United States is not suggesting that its territory would be taken over by the Soviet Union. In fact, in the Soviet Union, a country of 200 million people, it is ridiculous to think that the same 600 members of the control organization, even if they were all foreigners, could control that country.

Mr. Khrushchev must also know that Soviet representatives would accompany every inspection party and that even the transportation would probably be provided by the Soviet Union.

According to press reports, Mr. Khrushchev now indicates his speech was not to be taken too seriously, that it was for electioneering purposes. Nevertheless, his extreme statements do not fill us with the hope that the Soviet Union sincerely is prepared to end nuclear weapons tests under an effective control system.

But, Mr. President, having said these things about the Soviet position, I do have some inquiries about the position of the United States. I am aware that in view of the unreasonable Soviet position the talks at Geneva are at a very critical stage. However, I do think that the world situation is too grave and too filled with danger to have us give up too easily at this time.

The people of all nations urgently want an agreement which may have the effect of slowing down the armaments race. If an agreement to stop nuclear weapons tests under effective inspection and control could be concluded, I believe it would also enable any summit conference that may eventually be held to be conducted in an atmosphere much less fraught with tension than now is the case.

I wonder whether we have explored all the possibilities which preserve the principle of effective control on the one hand and on the other which show clearly to the suspicious Soviets that espionage and indiscriminate inspection are definitely not the purposes of adequate control.

Both as a Senator and as chairman of the Subcommittee on Disarmament, I feel that every possibility must be explored. We must be sure that no idea worthy of consideration has been passed over. Senator CHURCH has made an interesting suggestion if the Soviets adamantly refuse to accept a control system for the cessation of all nuclear weapons tests.

I also have two proposals to put forth. The first concerns the matter of on-site inspection. I would like to inquire whether the United States has adequately explored

the idea of placing a ceiling on the number of inspections that could take place in a given country or area within a specified period of time.

When one tries to visualize just how the inspection and control system would work in practice the conclusion seems obvious that only a limited number of on-site inspections could take place. An event which the control posts are unable to identify could lead to an inspection and this fundamental right would in itself act as a deterrent to a potential violator. If all tests were banned, obviously not every unidentified event could be inspected. All such events occurring in areas in which earthquakes do not usually occur would probably be inspected and this, I believe, the Soviet chairman of the conference of experts, Mr. Federov, admitted would have to take place. But inspections of unidentified events in earthquake areas would need to be on a spot-check basis. If a limit were placed on the number of inspections per year, for example, it would be necessary that the control organ never exhaust all of its inspections before the end of the period.

Would not a limit on the number of inspections on the territory of each of the nuclear powers and in the areas in which tests might take place preserve the interests of the United States and at the same time clearly indicate to the Soviet Union that we would not, as Mr. Khrushchev maintains, be inspecting all mines, quarries, woods, ravines, and all the rest.

The other proposal concerns voting procedure in the control Commission. The present Western proposal, I believe, is for a 7 nation control Commission composed of the United States, United Kingdom, U.S.S.R., and 4 other countries. Would not our interest be preserved if the composition of the control Commission consisted of the United States, United Kingdom, U.S.S.R., one other country in the Soviet-Sino bloc, and three neutral countries? If decisions were made by a simple majority, each side would need to pick up two of the three neutrals to order an inspection.

I am offering these suggestions for your consideration. If proposed and if subsequently rejected by the Soviet Union, it would be, unfortunately, further indication to the world that the Soviet Union has no intention of ever letting any inspection take place.

There are undoubtedly other measures that could also be explored which might, assuming a seriousness of purpose on the part of the Soviet Union, bridge the gap between the positions of the two sides and still protect the vital interests of the United States.

I am fully cognizant that no one measure will insure the success of the nuclear test ban talks. It is obvious that other issues still divide the conference, such as the means by which the control system would be extended to other nations which might be capable of exploding nuclear devices or nations which might permit their territory to be used for nuclear testing.

Thank you for your consideration of my letter.

Respectfully,

HUBERT H. HUMPHREY.

Mr. HUMPHREY. Mr. President, the letter speaks for itself. However, I wish to amplify slightly two suggestions I made, and I shall quote from the letter by way of reference.

PROPOSAL FOR COMPOSITION OF SEVEN-NATION CONTROL COMMISSION

One of my suggestions deals with the composition of the control organization which would be responsible for monitoring the test-ban agreement. The three nuclear powers have agreed that the control organization should be operated by a seven-nation Commission with the three nuclear powers serving as permanent members. The United States and the United Kingdom originally proposed that the other four members be chosen by all the nations which signed the test-ban treaty. Recently the United States has suggested that the control Commission be composed of three Western nations, two Soviet bloc nations, and two neutrals. The Soviet Union has demanded that the three permanent members have a veto on all decisions of this Commission. In other words, any one of the three permanent members would have a veto. The Soviets argue that the Soviet Union would be a permanent minority. The Soviets claim that the United States would always have a majority of the members of the Commission and thus the Commission could force its will on the Soviet Union. We can examine that complaint.

Members of Congress are familiar with the problems of majority and minority rights. No veto as such exists either in the conduct of the business of the Senate or the House, but those who have found themselves occasionally or consistently out of step with majority opinion sometimes devise ways of assuring that their views will not be trampled on by what they consider to be the wishes of a possibly overzealous majority. This problem engaged the attention of the men who met in Philadelphia at our Constitutional Convention in 1787, and it is one which inspired some of the most thought-provoking wisdom of the distinguished statesman, John C. Calhoun.

I do not mean to draw too precise an analogy here between the conduct of the business of the Senate and negotiations with the Soviet Union. But in negotiating with a country that has been and probably will continue to be in a minority position with respect to numbers but will also continue to wield great political, military, and economic power in the world, we have to make a choice. The choice is perhaps a choice between no progress toward a test-ban agreement and some progress based on the concept of a different composition of the control Commission.

I add that the second concept would in no way, in my opinion, jeopardize our national security.

My suggestion to the President was that the control Commission might be composed of the three nuclear powers—U.S., U.K., and U.S.S.R.—one other member of the Sino-Soviet bloc and three neutrals. This would put the Soviet Union on a par with the United States and Great Britain in terms of numbers, but it would mean that the balance of power in the voting of the Commission would rest with the three neutrals. In order to achieve a simple majority to make decisions, either side would need to have two of the three neutral votes. Since the Commission is supposed to be run on an impartial and technical basis with no extraneous political issues included, the role of the neutral nations in this case would be proper.

Again, I must underscore that when I say "neutrals," I mean real neutrals; not those who profess a kind of neutrality, only to find convenient arrangements with the Soviet Union. I am talking about the kind of neutrals symbolized by Sweden and Switzerland, for example. There are others, but I cite those two countries on the European scene, for illustration.

If my suggestion were accepted it would remove the argument and case of the Soviet Union to attempt to justify a veto. The Soviet Union could no longer contend that it needed protection from a so-called built-in majority of the Western nations. The majority would in fact be determined by the neutrals.

Here, again, I underscore the importance of the word "neutrals;" that this is not, for example, a control Commission with neutrals, in which the neutrality is not really explicit or implicit. But we have also seen a country, such as India, which can act as a neutral sincerely and conscientiously.

Mr. KEATING. Mr. President, will the Senator from Minnesota yield?

Mr. HUMPHREY. I should prefer not to yield at this point.

Mr. KEATING. I should like to ask the Senator a question at this point.

Mr. HUMPHREY. I should not like to yield at the moment; I shall yield shortly.

PROPOSAL FOR CEILING ON NUMBER OF ON-SITE INSPECTIONS

I now come to my second suggestion. This covers the point of on-site inspection of events which have been registered at the control posts and which might be suspected of being nuclear explosions. Analysis of the data registered at the control posts, particularly if the control posts contain the most improved and efficient equipment possible, should usually identify the causation of the many signals that will be recorded. The most important and frequent source of vibrations will be earthquakes occurring beneath the surface of the earth. In most cases, it will be a relatively simple matter to identify these positively as earthquakes. There will be other occasions when the control posts will not be able positively to identify the source and here it is essential to have the right to send a mobile inspection team to the area from which the signal arises, in order to conduct an inspection on the spot which will enable it to determine whether the vibrations were caused by a nuclear explosion.

The Soviet Union claims that the United States and Great Britain will try to use the right of inspection to roam indiscriminately throughout the Soviet Union to learn its well-hidden secrets.

Here we see the suspicious nature of the Soviet Union coming to the forefront. I know, and every Member of this body knows, that this is not the purpose of inspection. It definitely could not be the purpose of inspection if the control organization is operated on an impartial basis. We know also here that we are willing to yield privileges to others as great as those we demand for ourselves.

As a practical matter there would be a limit on the number of inspections that would take place during any given

period and in a given area. The United States has already suggested that there should be some limitation on the number of inspections which could take place. This suggestion has been made in Geneva. My suggestion is that if we agreed on a ceiling for the number of inspections this would show that espionage definitely is not our purpose, as we know it not to be, but it would preserve the right of spot-checking suspicious events in a specific number of cases. It would still make it possible to uncover speedily a course of conduct in violation of the treaty.

In my letter to the President I pointed out that the control Commission would probably always want to send an inspection team to investigate suspicious and unidentified events in areas in which earthquakes normally do not occur. In areas where earthquake activity is high, inspection would be on a spot-check basis.

The Soviet Union must accept the principle that some inspections will be necessary and that such inspections must be conducted in an unimpeded manner—no delays and no redtape. But there would not and need not be an unlimited number of inspections.

REQUEST FOR RELEASE OF BERKNER REPORT

Before concluding my remarks, I have two additional points to make. Both concern the question of the adequacy of the control system that was devised last summer at the conference of experts with scientists from Western and Soviet bloc nations.

Mr. President, at this point I yield to the distinguished Senator from New York.

Mr. KEATING. I commend the Senator from Minnesota for discussing this very serious matter on the floor of the Senate. I entirely agree with his viewpoint that our function is not only to consent, but also to advise. I feel that the Senator is performing a constructive task in bringing our attention to this problem.

I am a little troubled by the first suggestion which the Senator made, concerning the composition of this group. He suggested that the United States, the United Kingdom, the U.S.S.R., and one of the so-called Sino-Soviet bloc, together with three neutrals, comprise the group. Did the Senator have in mind that the U.S.S.R. would select the other member of the Sino-Soviet bloc, and that we would agree to take whoever might be selected?

Mr. HUMPHREY. That would be in accord with the principle of equality between two Western nations and two Communist-controlled nations.

Mr. KEATING. I understand the principle which the Senator from Minnesota is seeking to enunciate; but would not that be likely to result in Communist China being the fourth member of the group?

Mr. HUMPHREY. It could be.

Mr. KEATING. Would not that in turn involve at least an implicit recognition of Communist China, which would be contrary to existing policy and, indeed, contrary to resolutions passed by Congress?

Mr. HUMPHREY. No, I think not, because the same situation would prevail as in the instance of North Korea, and, as the Senator is aware, we have negotiated with the North Koreans and with the Chinese Communists with respect to North Korea.

Mr. KEATING. But would not the suggestion involve a more formalized body than any the United States has yet recognized? In other words, would it not be a step toward the recognition of Communist China?

Mr. HUMPHREY. It would be a step toward recognizing Communist China as a reality, but it would not be a step toward political recognition of Communist China on a diplomatic basis.

As a matter of fact, I am not at all certain that the Soviet Union would select Communist China; in fact, she might very well not want Communist China. The Soviet Union might very well want to do what she has done in recent talks, namely, choose Poland or Czechoslovakia. In the surprise attack conference, it may be recalled, there were representatives from other Eastern European countries, but none at all from Communist China.

It seems to me that we might more likely expect that it would be an Eastern European country which the Soviet would want to have in the group. It might be a little easier for the Soviet Union to exercise, if I may say so, its control over a nation less powerful.

Mr. KEATING. I share the views of the Senator. My guess at the moment is that the U.S.S.R. might select some country other than Communist China.

However, in an effort to bring about the result they are constantly seeking to achieve, namely, complete recognition of Communist China—I think it would be dangerous for us to stick our heads into a noose, unless we are going to change our policy; and, personally, I do not favor doing that—which is what we would be doing if we agreed to a setup which foreclosed us from objecting at a later time to the inclusion of a member of the Sino-Soviet bloc which the Russians might seek to include.

Mr. HUMPHREY. The truth is that today the Soviets are insisting that there be some equality in terms of the numbers on the control Commission. Strictly from the point of arithmetical logic, they do have a point.

My feeling is that if there is ever to be an effective ban on nuclear weapons, Communist China will have to be included.

I have taken up this matter with the Secretary of State. In fact, the State Department itself has responded to the suggestions of the importance of including what we call mainland China in an effective type of control system.

Presently we have been able to devise inspection systems which operate fairly well, as regards surveillance over the explosion of nuclear weapons on the mainland of China. But I believe it would be less than responsible, and surely less than accurate, to say that we can really have an effective control over the possible violation of a ban on nuclear tests if Communist China is permanently excluded from such an agreement. Furthermore, today our Government recognizes that; and it is the official position of our Government, as of this hour, that the treaty we hope will be ageed to will be open for the inclusion of other nations, including Communist China.

Mr. KEATING. That may be. But I would question—and I am quite sure the Senator from Minnesota did not mean to imply—that the present policy of our Government is to accept Communist China on a formal commission.

Mr. HUMPHREY. I am not at all sure about that. I would say that today our policy, insofar as the State Department is concerned, and also the President's policy, is that the nuclear test ban should cover as many areas as possible. That leaves the matter "open end," so to speak; and it has been made such intentionally, quite frankly.

I would wish, in the interest of national security, to see Communist China covered by some form of inspection. I do not agree with some persons that we should recognize her at this particular time. But if we can negotiate with the Chinese Communist Ambassador in Warsaw, as we have been doing day after day, and also negotiate with the Chinese Communists in North Korea, I believe we should consider the possibility of including the Chinese Communists in a nuclear weapons test ban, lest they test the weapons themselves and later have no hesitancy in using them in some areas of the world.

Mr. KEATING. But my point with the Senator is that to suggest——

Mr. HUMPHREY. I did not suggest it.

Mr. KEATING. I realize that, and I should not have stated the matter in quite that way. What I mean is that a suggestion that the Chinese Communists become a member of the Commission under this arrangement would seem to me to be a matter to which we would wish to give much long thinking before we would agree to it.

Mr. HUMPHREY. Perhaps so.

Mr. KEATING. Of course, the letter being sent to the President will receive consideration at policy levels with which I am not familiar in any way.

Mr. HUMPHREY. In the letter I sent to the President, I merely stated—and let me say that I hope I did so in a most respectful and cooperative manner—that I believe consideration should be given to making some adjustments in the Commission, in the interest of our own national security.

It follows, as the Senator from New York has properly pointed out, that my proposal would include the right to include on the Commission a second Communist nation—in other words, the Soviet Union and one other Communist nation—along with the United Kingdom, the United States of America, and three countries that are truly neutral.

It is possible that one of those countries could be Communist China. I do not say it should; but I am of the opinion that, sooner or later, the Chinese Communists are going to pose us a very serious problem in the field of nuclear

weapons; and the sooner they are included within some kind of control devices, the better off we shall be. So I suggest that we do so early, rather than late. But, again, this is a matter for the negotiators, the State Department, and the President. My suggestions are not offered as dicta; but, rather, they are offered as friendly, helpful suggestions.

Mr. KEATING. I realize that; and I think the ventilation of this entire question is all to the good.

Mr. HUMPHREY. I thank the Senator from New York for his very helpful and constructive questions and comments.

Mr. President, a few moments ago I stated that I have two additional points to make, and that both concern the question of the adequacy of the control system which was devised last summer at the conference of experts with scientists from Western and Soviet bloc nations. All Members of the Senate are aware that new data from the Hardtack II series—a recent atomic test series indicated that in important respects the control system, if no improvements were made in it, would have a more difficult task than the conference of experts had anticipated. This point has been discussed previously in the Senate and in congressional committees.

We need not wait to see the end of the negotiations, to render improvements in the detection system. At the request of the executive branch of the Government, a committee headed by Lloyd Berkner, head of the Space Science Board of the National Academy of Sciences, has prepared a report on how the science of the detection and identification of underground nuclear tests may be advanced and further improved and refined. That report has been completed. I suggest that it should be made public. This document should not be privileged. The Congress ought to share in the findings of such an important group in working on such a crucial problem. I respectfully request the President not to construe the role of advisers in such a way that reports such as the Berkner study are kept guarded within the confines of the executive branch. I cannot find any reason why such a report should be classified. We need to see the conclusions and recommendations of this distinguished group.

RESEARCH AND PEACEFUL TESTS SHOULD BE CONDUCTED NOW ON A MUTUAL BASIS

My other point on the technical side of this question is that we could, and should, be conducting research this very minute, so as to test the worth of the suggestions made by the Berkner committee and the conclusions arrived at last summer by the conference of experts. In other words, research on peaceful tests should continue, and they should be conducted on a mutual basis. The Soviet Union, the United Kingdom, and the United States have already agreed in principle to the need for further nuclear tests for peaceful purposes, which would include the perfection of the control system.

My distinguished colleagues, the chairman of the Joint Committee on Atomic Energy, the senior Senator from New Mexico (Mr. ANDERSON), and the junior Senator from Rhode Island (Mr. PASTORE), suggested some time ago that additional tests be held to check the reliability of the control system. Their suggestion should now be acted on in view of the following:

First. The Berkner report consists of theoretical possibilities which need to be tested.

Second. Such tests could be held with the three nuclear powers participating. After so many months of negotiation, both last summer at the technical conference and later at the political conference, the Western and Soviet scientists have now become rather well acquainted. If they planned and jointly carried on a few tests for research purposes, even the few remaining doubts about the effectiveness of the system might be removed.

Mr. President, I am offering these proposals for the consideration of the President, his Department of State, and negotiators in Geneva.

I am also making my letter public at this time so that Members of the Senate may ponder its worth, if any.

It is possible that we who are trying to find ways to reach a safe and effective agreement are engaged in an exercise of futility because in the end the Soviet Union will not accept a control system that is effective and workable. But we do not yet know what will be the final and irrevocable decision of the Soviet Government. The negotiations, I repeat, have not definitely failed. I respectfully suggest that we should persevere and be patient.

In any event, we are not wasting our time. We could never forgive ourselves if we failed to exhaust every possibility in our search for peace. The world looks to the United States for leadership in efforts to remove the threat of destructive war, and we shall be judged by the vigor, the imagination, and the fair-mindedness of our work in Geneva, and, I am sure, in other places, in the years to come.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Tennessee.

Mr. GORE. I wish to congratulate the able Senator from Minnesota on his address. He has spoken eloquently and well, particularly with reference to the desire and the need for disarmament.

Does not the Senator think that a clearer line of distinction should be drawn between disarmament, on the one hand, and a stoppage of radioactive contamination of the atmosphere, on the other?

Mr. HUMPHREY. I certainly do, and I believe that the Senator from Tennessee has made his case very, very effectively and convincingly.

I should also like to make this differentiation between the negotiations currently under way in Geneva on the test ban and negotiations on disarmament. Actually, these are not disarmament negotiations in themselves. They lend themselves toward a reduction of armaments. They could lend themselves toward an effective system for future disarmament agreements. They could have a tendency, if the negotiations were successful, to slow down the what I call proliferation or the extension and expansion, of atomic weapons into other countries. But I think it would really be stretching the point a bit to call the current negotiations disarmament negotiations. I say they adjust the atmosphere for the possibilities of disarmament.

Mr. GORE. Insofar as the stoppage of underground tests is concerned, that, it seems to me, is essentially disarmament, just as would be the stoppage of further development of missiles and rockets. The contamination of the atmosphere does not come from underground explosions, if they are contained. So I think there is more of disarmament in the negotiations than the able Senator has just indicated, although the Russians refused to consider disarmament. As the Senator knows, whenever disarmament is suggested at Geneva, the Russians react by blaming us for the fallout hazard.

Mr. HUMPHREY. I make this one correction. The issue at Geneva over disarmament came in a proposal we made that such an agreement should be tied in with further disarmament proposals which would be made in the future.

I agree with the Senator from Tennessee that when weapons technology is slowed down, it has a tendency to slow down the arms race, but a country could still arm itself heavily with weapons it already had. In other words, the style and the type of the weapons which so far have been approved could be expanded and extended. So there is not really involved disarmament in the sense of reducing the number of weapons which are available.

Mr. GORE. But any substantial agreement for international control of atomic tests of whatever character would, I believe, be a major step which might lead to the taking of other steps.

Mr. HUMPHREY. Absolutely. The Senator is undoubtedly correct. That is the importance of such an agreement.

With reference to the proposal of the Senator from Tennessee concerning the banning of atmospheric tests, I do not know whether he had more inside knowledge than did some of us. That is possible because of the important role of the Senator from Tennessee on the Joint Committee on Atomic Energy; or it may have been due to the Senator's prophetic vision. But since the proposal of the Senator from Tennessee—and this statement includes the proposal of the Senator from Idaho [Mr. CHURCH], who is present in the Chamber—a tremendous amount of new information has been made available about the danger of contamination by radioactive materials. The difference in emphasis on this subject in February and March 1959, as compared with February and March 1958, is the difference between day and night. All at once statements by scientists from all over America—even scientists, such as Mr. Libby, who a year ago, were less than open about the dangers of strontium 90 and radioactive fallout—are filling the newspapers every day. The information as to the potential

dangers of the pollution of the atmosphere comes not from emotionally unbalanced, but from responsible, actually working scientists.

Therefore, the two suggestions which have been made—the proposal of the Senator from Tennessee [Mr. GORE] on a unilateral basis, and the proposal of the Senator from Idaho [Mr. CHURCH] on an international basis—emphasize the concern of the Congress about this matter. Both suggestions have been made in a spirit of constructive proposals in order that there might come out of the conference at Geneva something worthwhile—not merely an agreement for the sake of having an agreement, but something worthwhile for humanity.

I am hopeful, and so are the two Senators to whom I have referred, that we can get a much broader agreement; but if we cannot get a broader agreement—and it is our aim and purpose to get a broader agreement—then I hope and pray our negotiators, under the inspiration which has been provided from the Senate, will proceed forthwith to take up the possibility of international control of atmospheric explosions. If the Russians will not agree to such control, then, I say to the Senator from Tennessee, his courageous proposal is one I would readily embrace, because it would indicate that we are taking the political and moral lead—and I underscore "moral lead"—in trying to protect not only our national security, but the welfare of mankind for generations to come.

I have been concerned about what I have been reading from reports of our scientists, and some reports from eminent scientists of Great Britain, that everywhere there is serious concern over radioactive fallout.

Mr. CHURCH. Mr. President, will the Senator yield?

Mr. HUMPHREY. Yes; I yield to the Senator from Idaho.

Mr. CHURCH. Mr. President, I wish to say at the outset that the distinguished Senator from Minnesota has made a signal contribution in the excellent address he has made this afternoon. I never think of this problem without being reminded of a cartoon which was published several years ago depicting two falling atomic bombs. Under these falling bombs stood the United States and the Soviet Union. One bomb was falling a little faster than the other. Both the United States and the Soviet Union were pointing up to the falling bombs, and one was saying to the other, "Look, we are ahead."

Mr. President, the only way humanity can move ahead is by having some success at the conference table at Geneva, because assuredly the American people and the Russian people are breathing the same air, and assuredly the air is being poisoned day by day by the rising levels of radioactivity.

I suggest, therefore, Mr. President, if there is a place where it is at all possible for the United States and the Soviet Union to find a common ground upon which to negotiate, certainly it ought to be with respect to the subject currently in the process of negotiation at Geneva. I feel very strongly, as does the distinguished Senator from Minnesota, that we must not lose this fateful opportunity to take some forward step in this field. Even if it should develop that we cannot achieve all we want at Geneva, let us at least demonstrate a capacity for flexibility. Let us alter our course if we must, but let us do our utmost to achieve something useful, valuable, and meaningful from the conference, in order that the contamination of the atmosphere may come to an end.

Again I wish to say to the able Senator from Minnesota he has made a contribution of great importance this afternoon. I hope his statement will be seriously studied by the State Department and given the attention it warrants. I commend the Senator from Minnesota for his continuing interest and effort in this field.

If everyone in this land were as much concerned about this problem as he is, I think we would be making better progress. If everyone understood this problem as well as he, the concern would be so grave that the Press Gallery would be filled today, to report a subject of this great moment, and such a demand would rise over all the land that our negotiators at Geneva would bend every effort to negotiate a settlement to bring about an end to the poisoning of the air.

It was not my intention to make a speech. I apologize for having done so.

Mr. HUMPHREY. The Senator has made a good one.

Mr. CHURCH. My purpose in rising was to commend the Senator upon the excellence of his address, and to assure him that in this effort he has my wholehearted cooperation.

Mr. HUMPHREY. Mr. President, I am deeply grateful to the Senator from Idaho not only for his very generous remarks—his overly generous personal comments—but I am also grateful for the interest and the leadership of the Senator from Idaho [Mr. CHURCH], the Senator from Tennessee [Mr. GORE], the Senator from Rhode Island [Mr. PASTORE], the Senator from New Mexico [Mr. ANDERSON], and many other Senators now present on the floor with respect to this very important issue, in the attempt to find some workable, some reasonable, some effective and some safeguarded type of agreement which will lend itself toward the easing of international tensions on the one hand, and, as has been stated so brilliantly and movingly today by other Senators, which will spare humanity from the inevitable poisoning which will come to the air from a continuation of this kind of activity.

It is a great and moving experience, Mr. President, to realize that the Senate of the United States—not simply one Senator who is on a self-styled crusade of his own, but many Senators—will take the lead to encourage the Government and to encourage our negotiators to move ahead.

I will say to the Senator from Idaho that when he spoke about flexibility being required at this time he touched upon the real secret of success. It is not a flexibility which would set aside our security at all, but is a flexibility to permit forward movement, to permit an advance, and to permit constructive progress. Whatever may be the results at Geneva, at least the Senator from Idaho, the Senator from Tennessee and other Senators who have expressed themselves can honestly feel in their hearts that they have tried.

I think this is very important. I say to my colleagues, in the months to come we will see more and more to justify every word said on the floor today, because the truth is coming to the forefront. Even our President noted yesterday, in his very serious press conference, the dangers of radioactive fallout in the Northern Hemisphere. I remind Senators this fallout occurs in the northern regions. Atomic tests have a way of spewing down fallout rapidly in the northern regions, where we live, while the so-called lag period of holding radioactive particles in the atmosphere far above the earth for years and years and years, during which time the particles lose some of their lethal effect, takes place not in this area but near the Equator. We are in the area which receives the full impact. Is it any wonder that we read of strontium 90 in milk, of strontium 90 in wheat, of strontium 90 in vegetables and in other products we consume?

Mr. CLARK. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Pennsylvania.

Mr. CLARK. I wish to join my colleagues in commending the Senator from Minnesota not only for the splendid address which he has just concluded but also for the many contributions which he has made as the chairman of the Subcommittee on Disarmament.

It occurs to me that in this, the 86th Congress, the Senate is truly fulfilling that constitutional responsibility with respect to foreign affairs which all too long it has allowed to lie unused.

I should like to point out that while the lead has been taken primarily by the members of the Committee on Foreign Relations—and we have an extraordinarily able Committee on Foreign Relations—there have been other Senators who have made contributions on the great debate on foreign policy, among them the senior Senator from Tennessee [Mr. KEFAUVER] whom I observe in the Chamber, who made a very constructive suggestion for a multilateral organization to coordinate the separate foreign aid programs of the Western nations.

I hope our friends on the Foreign Relations Committee will continue their efforts to bring about more vision, more imagination, fresher thinking in our foreign policy, as opposed to the relative sterility and relative inflexibility of the present administration.

I make this suggestion in all humility: Would it not perhaps be worthwhile for the members of the Foreign Relations Committee to formulate an overall policy for the Senate, and to bring before those of us who are not members of that committee a greater degree of information,

in order that there may be closer unity in the Senate with respect to our observations on foreign policy? I think it is a fine thing for the senior Senator from Tennessee [Mr. KEFAUVER], the junior Senator from Tennessee [Mr. GORE], the junior Senator from Idaho [Mr. CHURCH], the senior Senator from Minnesota [Mr. HUMPHREY], the junior Senator from Montana [Mr. MANSFIELD], the junior Senator from Connecticut [Mr. DODD], and others to come forth with their very constructive suggestions with respect to certain aspects of foreign policy. However, if such suggestions could be tied together by the leaders in the Foreign Relations Committee, and if they could bring to the Senate resolutions and recommendations, I feel that the influence of this great body would be even more effectively felt at the other end of Pennsylvania Avenue.

Mr. HUMPHREY. I think the Senator's suggestion is very meritorious. The Senator will be interested to know that considerable effort is being made in the Foreign Relations Committee to bring about the kind of consensus to which he refers. I have sent to the chairman of the Senate Committee on Foreign Relations a draft copy of a resolution, in order to obtain his very well-reasoned and sound advice. I hope to submit that resolution, which deals with the entire area of the nuclear test ban, and points out the concern of the Congress along the lines which have been discussed here today. We have discussed today the general theme of that particular resolution, but I should like to have the Senate go on record with an expression of the views of the elected representatives of the American people of the sovereign States.

My proposed resolution will be given preliminary consideration in a more or less private manner by the chairman and the ranking Republican member of the committee. Then I should like to submit it in the regular order, have it considered by the committee, and reported back to the Senate. I believe this can be done. However, I do not wish to offer anything that would jeopardize our present negotiations.

Tomorrow, or the next day the Senate meets, I shall present a compilation of the reports which we have been able to obtain thus far on radioactive fallout and atmospheric pollution. I have discussed this subject with a member of the staff of our subcommittee. This compilation would more or less buttress and underscore the arguments of the Senator from Tennessee [Mr. GORE], the Senator from Idaho [Mr. CHURCH], and other Senators. It will be made a part of the RECORD, for all to see. I believe it will represent a rather extensive and comprehensive research job.

Mr. GORE. Mr. President, will the Senator yield?

Mr. HUMPHREY. I yield to the Senator from Tennessee.

Mr. GORE. Almost the first speech it was my privilege to make as a Member of this body was addressed to the subject of policy in relation to massive retaliation.

Mr. HUMPHREY. I remember the Senator's speech.

Mr. GORE. I questioned its wisdom, as well as its adequacy and efficacy.

The Senator may recall that I expressed apprehension that to follow such a policy would be, so to speak, placing all our eggs in one basket. We might be preparing to fight the kind of war which we might, God grant, never have to fight. I went so far as to express the hope that no nuclear bomb might ever again in my lifetime be dropped upon a city.

Despite my views to the contrary, we have proceeded upon the policy of massive retaliation.

As I listened to the testimony in secret session in the Foreign Relations Committee day before yesterday, and again, as I watched President Eisenhower last evening on television, and heard him say to us and to the world that there would be no ground warfare, and that he did not rule out the possibility of nuclear warfare, it occurred to me that the Berlin crisis might be the supreme and ultimate test of the wisdom and effectiveness of the policy of massive retaliation.

I hope and pray that my apprehensions with respect to that policy are proved illfounded. I hope it succeeds in preserving peace and the position of the free world. If it does succeed, then the Russians will back down and the position of the United States and the Western Powers will be preserved in Central Europe and throughout the world.

If it does not succeed, then either there must be some accommodation of the Russian position by us—I hope not appeasement—or, God forbid, nuclear war. I say "God forbid" because, according to scientists whom I have heard testify, there is enough radioactivity in the nuclear stockpiles of the three nuclear powers to make large portions of the earth uninhabitable.

I am not here saying that I question the wisdom of the President's statement yesterday. I question the wisdom of the policy that has brought us to the point where we must depend upon massive retaliation with nuclear weapons alone.

Mr. HUMPHREY. Mr. President, I wish to associate myself quickly, briefly, and positively with the remarks of the junior Senator from Tennessee. He has stated exactly the doubts, fears, and concerns which bother many of us.

Without trying to pass judgment on the President's remarks—and I think he could have said very little else in terms of our real power—it might have been better, from my point of view, not to have said what was said about the ground forces.

The truth is that the policy which has been pursued made the comment almost inevitable. The Senator from Tennessee has stated the question today in a moving and persuasive manner.

Often we hear it said that we should restrain ourselves in foreign policy debates. I believe in responsible debate. I believe in restrained and responsible discussion. However, I believe that responsible debate means discussion. We need to hear more from members of the Joint Committee on Atomic Energy, such as the distinguished Senator from Tennessee [Mr. GORE] and other members. We need to know what the facts are. The only place where members of the Armed Services Committee and members of the Committee on Foreign Relations meet is in this Chamber. Outside this Chamber we are living in our own little jurisdictions. One of the troubles with our foreign policy today is that it is departmentalized to such a great extent that there is no adequate synthesis and coordination either in the legislative or the executive branches. Yet the Soviets have a totality of policy within a totalitarian regime, and they move on all fronts at once. Everything is related to everything else. The one place where we, as Members of the Senate, have an opportunity to achieve synthesis and coordination of information and policy is in this Chamber, where we debate, not as committee members, but as Members of the Senate, each of us representing his own constituents, his own State, and his own points of view.

A Member of the Senate need not be a member of the Committee on Foreign Relations to have sound foreign policy views. There are many Members of the Senate, not members of the Committee on Foreign Relations, whose views on foreign policy are extremely well grounded. I do not believe that a Member need be a member of the Committee on Armed Services to have views on the strength of the Nation in terms of our Armed Forces. We ought to be enlightened enough to receive the views of well-informed Senators. Some of the best speeches I have ever heard on foreign policy were made by Members who were not members of the Committee on Foreign Relations. That does not mean that members of a committee are less informed. It means that some persons have an unusually good talent and have an unusual store of information on these subjects.

Mr. CHURCH. Mr. President, I wish to congratulate the Senator from Minnesota once again on his remarks, and also those of the distinguished Senator from Tennessee [Mr. GORE], particularly as they relate to the role of debate. It seems to me that there has not been enough debate on the floor of the Senate in recent years about the general direction in which this country is moving. Perhaps this is because there is so little disagreement among us as to what that direction should be. Perhaps it is because, in the guise of a bipartisan foreign policy, we have come to think that it is somehow unseemly to question the general direction of our course in the world at large.

But, Mr. President, whatever the reason may be, it is a very unhealthy symptom. How long has it been since there has been a general debate on American foreign policy on this floor? How long? I submit it has been nearly 20 years. What is the difference between the parties today as to the direction of our course? The main argument between the Democratic Party and the Republican Party seems to pivot on the number of missiles we ought to build this year or next year. But, Mr. President, though I feel very strongly, as do so many of

my colleagues on this side of the aisle, that we cannot afford to allow a gap to develop between our military strength on the one hand, and that of the Soviet Union on the other, and although I join with my colleagues in the indictment which has been made against the administration, particularly as relates to the missile lag, still there should be another question, and a greater question, which each of us should be asking ourselves, and which ought to be the focal point of debate on the floor: Suppose we do achieve this terrible parity in missiles? Suppose we close the gap in a year or 2 years, where are we headed? Four or five years from now will we have 100 or 200 intercontinental ballistic missiles set in place, each pointed at a metropolitan area, or industrial center, or military bastion in the Soviet Union? At the same time, will the Soviets not have 200 or more intercontinental ballistic missiles set in place, pointed toward the heartlands of America?

That is indeed the prospect. Whereas a few years ago, when we were thinking of an attack by Russia in terms of intercontinental bombers, with 8 hours or 10 hours of warning time, today we are thinking in terms of intercontinental ballistic missiles, with the warning time reduced to 15 minutes. Our technicians and Soviet technicians in 4 or 5 years will be sitting before their radar screens. Is there one among us who does not believe that these men are fallible? Is there one among us who does not believe that the day will come when one of these technicians, sitting before his radar screen, is going to make a mistake? Is it not a mathematical certainty that a mistake will be made, given sufficient time?

When the mistake is made, there will be 15 minutes for decision. If the mistake takes the form of assuming that an attack has been launched against the United States, then within 15 minutes a hundred or more intercontinental missiles will presumably be launched, and within the hour 40 to 50 million people may die. Then an awful retaliation occurs.

Oh, Mr. President, this is not a nightmare. This is not an idle fancy. This is what we are facing, like a ship with its tiller locked and moving in the current toward the maelstrom. That is the specter we are facing. But we do not talk about it.

I have listened for a long, long time to eminent spokesmen in the field of diplomacy, in my party and in the Republican Party, as they recite that the purpose of our whole course of action in the world is to build positions of strength from which to negotiate. However, I have not heard one of them specify what we ought to negotiate for.

That is the unspoken thing. When the time comes, just as we are faced today with the impending crisis at Berlin, when negotiation confronts us as a necessity, will there be a real debate on the floor of the Senate as to what form the negotiation should take? We must begin to think about the areas within which we should be prepared to negotiate. We must think and talk about how to free the tiller to move our ship of state out of the current which is leading us into the maelstrom.

Geneva is the starting point. It is the place where it is possible that the first step may be taken. Any progress in this difficult field will be made in little steps, not by grandiloquent designs.

That is why it is so important that our negotiators be prepared to do their utmost, and prepared to take whatever alternative course may be necessary in the public interest, keeping the national security of this country in mind, to make that first step possible at Geneva.

Once more I wish to commend the distinguished Senator from Minnesota. If we bring the same resolve to the conference table which he has demonstrated on the floor today, I am sure we will make that first step.

Such might well prove to be the crucial occurrence of this century, for if we once begin to move out of this dreadful current, there is hope. if we remain in it, there is no hope. The atomic war one day will come, because for the first time in the history of man such a catastrophe becomes possible through accident. Surely the law of mathematical averages makes that accident nearly inevitable, given the necessary time.

Mr. HUMPHREY. I might add that as weapons become more broadly accessible, as more nations are brought into the atomic field, and as more nations develop their missiles and warheads, we will not know from which direction the attack comes. The question then will be: Against whom do we retaliate? What an unforgivable error it will be if we retaliate against the wrong country.

I thank the Senator from Idaho. Mr. President, I yield the floor.

PASSAGE BY HOUSE OF REPRESENTATIVES OF HAWAIIAN STATEHOOD BILL

Mr. KEATING. Mr. President, I rise to make an announcement which I know will be of interest to all Senators. The House of Representatives has just passed the Hawaiian statehood bill by a vote of 323 to 89.

Mr. HUMPHREY. Mr. President, let me join the Senator from New York in complimenting the House of Representatives on its prompt and expeditious action. I should like to be privileged, along with the Senator from New York, to extend to Hawaii the warm greetings and felicitations of all of us in the Congress who are in favor of statehood for Hawaii. Nothing could make my heart any happier today than this announcement, because surely the people of Hawaii are the finest kind of Americans, and they have long deserved the opportunity to be members of the great and wonderful system which we call the Federal Union.

So I am delighted, Mr. President; this is wonderful news. I am confident that the President will sign the bill as soon as it reaches the White House.

Mr. GORE. Mr. President, I should like to join in the congratulations and hearty good wishes to the new State of Hawaii.

Mr. HUMPHREY. As a result, our country is all the stronger.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Maurer, one of its reading clerks, announced that the House had passed, without amendment, the bill (S. 50) to provide for the admission of the State of Hawaii into the Union.

DOCTOR L. M. DONALSON CHOSEN 1960 PRESIDENT OF LINCOLN COUNTY, TENN., MEDICAL ASSOCIATION

Mr. KEFAUVER. Mr. President, I wish to call attention to a fine and well-deserved honor which has been accorded Dr. L. M. Donalson, of Fayetteville, Tenn. Dr. Donalson came to Fayetteville in 1932 with a 98-cent medical bag and a diploma from Meharry Medical College in Nashville. In those hard depression days he began his long service of ministering to the medical needs of his fellow Negroes.

Dr. Donalson has been chosen by his fellow colleagues—all of them white—as the 1960 president of the Lincoln County Medical Association. His response was typical of the modest and self-effacing service he has rendered his community. He said:

> I'm just a country doctor, trying to make a living.

I think Dr. Donalson's unselfish record and the honor he has been accorded is a wonderful testimony to him and to men of both races in a time when anger and emotion seem frequently to confuse issues.

I commend Dr. Donalson for his great human achievements, and his colleagues for their recognition of them.

Mr. President——

The PRESIDING OFFICER. The Senator from Tennessee.

DEATH OF FORMER SENATOR GUFFEY

Mr. KEFAUVER. Mr. President, many of our present colleagues served in the Senate with Joseph Guffey, and knew him far better than I did.

A few days ago the Senator from Alabama [Mr. HILL] had occasion to recall many of the happy incidents of Senator Guffey's career in this body. I am sure that all the Members who served with him join me in expressing to his family and to his many friends our sincere sympathy at his passing.

THE UNEMPLOYMENT SITUATION

Mr. BYRD of West Virginia. Mr. President, during the past 2 days, my distinguished senior colleague from West Virginia [Mr. RANDOLPH] and I have been making to this body a series of addresses on the gravity of the economic distress which grips our Nation's areas of chronic unemployment. We have based

these addresses on the severe conditions in our own State of West Virginia, which were studied last week in 3 days of depressed-areas hearings, which I conducted as a member of the Subcommittee on Production and Stabilization. In our addresses we have dealt with numerous programs, now before the Senate, which we feel might be undertaken to bring both temporary and lasting relief to the stricken regions.

Today, however, I should like to direct my remarks almost entirely to one piece of proposed legislation, which calls for a new program. I believe this measure relates to the most important domestic matter that will come before this 1st session of the 86th Congress.

I am speaking, of course, of the area redevelopment measures—and, more specifically, of Senate bill 722, introduced by the Senator from Illinois [Mr. DOUGLAS], and cosponsored by 38 other Senators.

It is my devout belief that today our Nation's need is so great that only a measure as forceful and far-reaching as this one is capable of achieving the desired purpose—namely, that of stimulating the growth of new industry in depressed areas and of bringing a healthy supply of new employment to the suffering communities where hunger and privation now haunt many families.

In support of my belief, I could quote statistics at great length. I could draw upon the record of our public hearings in West Virginia, and could cite figures to show that 13.6 percent of the State's labor force—or 1 out of 8 persons—is unemployed. I could state that this represents 90,000 jobless men and women—of whom 53,000 now are receiving unemployment benefit payments, with the rest getting nothing at all. I could point out that each month 278,000 of West Virginia's people are standing in line to receive small rations of Government surplus foods, and that more than 20,000 others are eligible for these foods, but have not been able to receive them. I could recount testimony to show that hundreds of small businesses have failed, because retail sales have slumped as much as 35 percent in some areas. I could point out that, in the past 8 years, the number of coal-industry jobs available to miners in West Virginia has fallen from 120,888 to 44,237.

All these statistics I could recite to show that lingering, chronic employment has laid a heavy hand on the economic well-being of my State, and that thousands of desperate men and women are prayerfully waiting for something—anything—that would make new jobs available to them, so that they might again support their families.

But in dealing entirely with statistics and figures, sometimes the urgent human meaning of the problem can be missed. For that reason, I should like to read a brief passage from the record of the testimony taken at one of the hearings I conducted last week in West Virginia. The hearing was held at Beckley, a medium-sized city in the south-central portion of the State; and the witness was the Honorable Howard B. Chambers, sheriff of nearby Mingo County.

Sheriff Chambers, a down-to-earth man who knows his people and their conditions, pointed out that 41 percent of the population of his county is—due to destitute circumstances—eligible to receive surplus commodities. That is 41 percent—nearly half of the persons in a county of 47,409 population—who are so desperate that they must depend entirely upon meager amounts of Government commodities for their sustenance.

Then the sheriff continued—and I quote further from the record:

> The conditions in Mingo County are that they mechanized so much in the mines that they are laying off people, and then these people draw out their unemployment compensation and they are down on starvation. They go and apply for DPA—

That is to say, the department of public assistance benefits. Then the sheriff said:

> They in turn send them to a doctor, and if they are well enough to work, they cannot get any assistance at all. I have run on people and talked to people that actually broke down and cried. One woman, whom I met yesterday, was on starvation. Her husband is healthy, but he cannot find work. He has been in other States, and they tell us that other States have the same conditions, and that they want to take care of their own people. The men are out hitchhiking, hoboing on the freight trains, walking the roads with their shoe soles worn out, and they cannot get any assistance at all.

Mr. RANDOLPH. Mr. President, I hesitate to interrupt the continuity of the compelling presentation which my colleague from West Virginia is making. I would ask, however, for time to submit a unanimous-consent request in connection with the particular point being made.

Mr. BYRD of West Virginia. I am glad to yield.

Mr. RANDOLPH. Mr. President, the Charleston Daily Mail, through its lead editorial of March 9, has indicated what Senator BYRD has so well stated—namely, that this problem—acute as it is in the State of West Virginia—is not confined to the hills and valleys, the mining region where heavy pockets of unemployment exist in West Virginia. As the Senator from Pennsylvania [Mr. CLARK], who now has risen to his feet, well knows, conditions are not good, within the Commonwealth of Pennsylvania.

The editorial is entitled "The State's Problems, Acute as They Are, Are Not Typical of West Virginia Alone."

Mr. President, I ask unanimous consent to have printed at this point in the RECORD that editorial, which sets forth the need for an awareness of this problem.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Charleston Daily Mail, Mar. 9, 1959]

THE STATE'S PROBLEMS, ACUTE AS THEY ARE, ARE NOT TYPICAL OF WEST VIRGINIA ALONE

The problems of automation, technological unemployment, surplus commodities and so forth are not peculiar to West Virginia. In fact and while they dominate the economic horizon of West Virginia its problem is not even the most acute or widespread.

Representative JOHN SLACK of the State's Sixth District has obtained from the U.S. Department of Agriculture a summary which shows clearly that this complex byproduct of what is otherwise a substantial economic recovery has national proportions. In 24 of the 49 States there are 210 counties where 15 percent or more of the population is receiving surplus commodities as "needy persons."

West Virginia does not have the largest number of these counties. Kentucky, Oklahoma and Arkansas are all more poorly situated, and Pennsylvania and Tennessee are close. Neither does West Virginia have the largest percentage of its population in this state of dependency. The ratio is higher in Tennessee, Kentucky, Louisiana and Oklahoma. Indeed, the average for the 210 counties is 21.8 percent. West Virginia has some counties where the ratio is higher than this, but the figure for the State is only 15 percent.

Representative SLACK insists that this puts a different light upon the problem, and we think he is correct. For it is one thing to say, as many do, that West Virginia is simply going through an adjustment, but it is quite another when this adjustment embraces wide areas of Pennsylvania, Michigan and New York as well.

Whether or not the surplus commodities list is a precise measure of the Nation's economic status, the fact remains that 5,220,000 of the Nation's population are now drawing surplus commodities.

This is not just a revolution in the coal business, which is the shape it takes in West Virginia. It is a sign of trouble for the whole of the American economy, and it deserves far more attention than Congress and the administration have been giving it.

Mr. RANDOLPH. Mr. President, again I am constrained to speak with vigor about the necessity—which is recognized by the capable junior Senator from West Virginia [Mr. BYRD]—to alert the membership of this body to the problems of unemployment, not only in West Virginia, but in the Nation as well.

Mr. CLARK. Mr. President, will the Senator from West Virginia yield?

The PRESIDING OFFICER (Mr. HART in the chair). Does the Senator from West Virginia yield to the Senator from Pennsylvania?

Mr. BYRD of West Virginia. I yield.

Mr. CLARK. I have been very much interested in listening not only to the splendid address being made by the junior Senator from West Virginia [Mr. BYRD], but also to the most interesting comments made just now by his colleague, the senior Senator from West Virginia [Mr. RANDOLPH], with respect to the area redevelopment bill.

I have the privilege of serving on the Banking and Currency Committee's Subcommittee on Production and Stabilization, which heard the testimony with respect to Senate bill 722; and I also had the privilege of participating in the deliberations of the full committee which resulted yesterday in the reporting of the bill.

I can testify—and I am happy to do so—with respect to the very vigorous and helpful part the junior Senator from West Virginia [Mr. BYRD] took in all those deliberations. I believe he is particularly to be commended for having gone into the field and for having

heard, throughout West Virginia, testimony with respect to the plight of his State's unemployed and the help this bill could give them.

I recall to the minds of both my good friends from West Virginia the fine testimony which was given by their colleague in the other body, Representative KEN HECHLER, who brought a tape recording before the Senate subcommitte, and gave it the benefit, by ear, of the interviews he had conducted with unfortunate unemployed citizens of West Virginia, their wives, and their families, in order to dramatize—if that were needed—the plight of those unfortunate American citizens.

I can say, in response to the suggestion of my friend the senior Senator from West Virginia [Mr. RANDOLPH] that we in Pennsylvania are in almost equally difficult circumstances. As we read the latest figures, there are 508,000 Pennsylvanians walking the streets, looking for work which they cannot find. We find, in Fayette County, in southwest Pennsylvania, not far from the West Virginia border, 25 percent of our labor force is unemployed.

The situation is little, if any, better in the anthracite, hard coal, regions of northeast Pennsylvania; in the railroad towns, such as Altoona and Tyrone, in Blair County; along the line of the Pennsylvania Railroad; and in other areas served by the Reading, the Lehigh, the Erie, and the Lackawanna railroads.

We have in the great steel town of Johnstown, in Cambria County, a pitiable situation of unemployment, which is being, only temporarily and to a slight extent, alleviated by the temporary increase in steel employment, which I fear will fall off again the end of June.

Mr. President, we in Pennsylvania, with one out of every nine of our labor force unemployed, with 11 percent, across the State, of our labor force unemployed, certainly welcome the splendid help that the two Senators from West Virginia are giving us to push this much needed bill through the Senate.

I had the privilege of serving in the 85th Congress. I know the fine efforts which were made by so many fine Members of the Senate in getting a bill, in many respects identical with the bill which was ordered reported to the Senate yesterday, out of the committee and to the Senate.

I know our majority leader is committed to having this bill acted upon at the earliest possible moment. We have splendid bipartisan support from the other side of the aisle, in that the Senator from Maryland [Mr. BEALL] and the Senator from Kentucky [Mr. COOPER] are cosponsors of S. 722. I am very hopeful the Senate will pass the bill before the Easter recess. I hope when it reaches the other body of Congress it will remain substantially intact, and that when the President has it on his desk he will reconsider the ill-advised action he took last year, and will think a little more of human misery and compassion, and have a little less sterile thinking of a budget balanced at $77 billion with which he seems to be so obsessed at the present time. But in the unhappy event the President shall adhere to the same action he took last year, I hope the Congress of the United States will stand up in all its majesty and pass the bill over his veto, for the bill is needed to give the unemployed people of the depressed areas of Pennsylvania, West Virginia, and a score of other States the assistance which they are entitled to ask from the Federal Government.

I thank the Senator for his courtesy in yielding to me.

Mr. BYRD of West Virginia. I thank the Senator from Pennsylvania for his very excellent contribution. I have had the opportunity, since coming to this body, to observe the diligence, the interest, the loyalty, and the faithfulness which he applies to this kind of legislation.

In serving on the committee with him, I have been truly inspired by his knowledge of the situation and by the talent which he has exerted in an effort to bring some kind of proposed legislation out of the committee that might deal effectively with this situation. I am very pleased that yesterday the committee took the action it took.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield to the senior Senator from West Virginia.

Mr. RANDOLPH. Mr. President, at 12:08 p.m. today, over the United Press-International News ticker, these words were placed before the people of America who will read this dispatch:

> Unemployment increased by 25,000 to a total of 4,749,000 last month. The Government said the change was so small that it was insignificant. Employment also rose 16,000 to 62,706,000 in February. A joint report by the Labor and Commerce Departments said the stability marked the usual pause between heavy winter cutbacks in jobs and the normal spring pickup in the economy.

Now, Mr. President, we find in the story the words, "The Government said the change was so small that it was insignificant." I reiterate the word "insignificant."

Mr. President, the loss of one job is not insignificant. The loss of a hundred jobs is not insignificant. Certainly the loss of 25,000 jobs within a month is not insignificant. One job is worth while.

I am afraid that this is the attitude within the thinking of too many persons who hold responsible leadership in the administration at the present time. I do not want to wave the flag. I do not want to overdramatize this situation. But the Senator from West Virginia [Mr. BYRD] is discussing unemployment, continued unemployment, with workers in the State of West Virginia losing their jobs month-by-month. And when we find a statement that the change of 25,-0000 less men and women at work is insignificant, it comes with ill grace to the men and women of West Virginia who are in immediate need of assistance.

If my colleagues will indulge me this further comment, I hope I am not too vigorous in my denunciation of the departments of the Federal Government which, through their spokesmen, would indicate that the loss of jobs, regardless of how few they may be, is insignificant. Such an attitude ill becomes a nation in which human resources must ever have the utmost consideration.

Mr. BYRD of West Virginia. I thank my senior colleague. I share in the fears that he has so ably expressed.

Mr. President, I quoted from the testimony that was given to the Subcommittee on Production and Stabilization of the Senate Committee on Banking and Currency by the sheriff of Mingo County; and I am sure that his statement, as I have quoted it, sounds familiar. It sounds as though it might be a description of conditions in the depression years of the early thirties. Although the causes of unemployment in Mingo County today are not the same as those of the 1930's, the reason today being primarily mechanization of the mines and losses in coal sales, it makes little difference to those helpless people who are victims of unemployment.

I wish to continue, Mr. President, with the words of Sheriff Chambers:

> One fellow I have known for 30 years, an honest man. He has had a big family. And he had worked in this mine for 30 years. He came into my office. He had been over to apply for public assistance. They told him that he was able to work, that they could not allow it to him. Most of his kids have left home. He and his wife are starving to death. They do not have anything in the house.
>
> This fellow tells me that they have cut him out from the mines just recently, that they have put a new piece of machinery in there. He was a machinist, working on a loading machine or something similar inside the mines. He worked on different types of machinery. They want young men in there now. They said that he could not qualify to run this piece of machinery. "Well," he says, "give me a chance." They said, "You can't run it." He says, "Give me a chance." "We can't use you. You can't run this type of machinery." "I have run other machinery," he says. Well, they will not give him a chance. They cut the man off. He is 53 years old.
>
> Nowadays around the mines and the mining communities, these companies do not want an old man who has devoted his lifetime. Their fathers before them have devoted their lifetimes to the coal mining industry.
>
> In my county I would say that half the population there do not know anything else but mining. They were brought up that way. Some of them have never gone to school. But they know machinery. They are good, honest people, and they know how to work.
>
> I think this program that you, Senator BYRD, and you, Senator RANDOLPH, are on, will help tremendously there in that section.

Mr. President, do these words not bring home the painful truth of what is happening today?

Mr. PROXMIRE. Mr. President, will the Senator yield at that point?

The PRESIDING OFFICER (Mr. RANDOLPH in the chair). Does the Senator from West Virginia yield to the Senator from Wisconsin?

Mr. BYRD of West Virginia. If the Senator will withhold for just a moment, I shall be happy to yield to him.

This is what is happening and what has been happening for years in our Nation's regions of chronic unemployment. Do these words not emphasize

the terrible need of the people—and even more so, the desire of the people—for a bold Government program that will make new employment available to them?

I shall read just a few more sentences from the transcript of Sheriff Chambers' testimony. At another point, I asked him if he had found any evidence of husbands and wives intentionally separating so that the wives and children would be eligible for State welfare benefits, and he replied:

I have had men come in my office and ask me to swear out a warrant or have the wife do it in order to get them (the wife and children) on DPA. On one occasion the guy did go in there. His wife swore out a warrant for nonsupport. You show it to the department of public assistance, and of course, they sign her up.

At another point, the sheriff said:

Crime is on the increase in my county. And they are not stealing money. They are stealing food in my county.

And later, he said:

I know in my county, moonshine is on the increase. * * * No other means of making a living. The people have turned to moonshining. It is tremendous in my county.

And then he said:

I ran on a situation yesterday. It is in another coal-mining community where the companies have told those people to vacate the houses by April 1, and that is going to affect approximately 125 men in Red Jacket Hollow alone. They are asking them to vacate because there is no rent coming in. The mine operations of the whole hollow are closed down. The company intends to tear the houses down. But these people have nowhere to go, nothing to go in if they could go somewhere. If they canot pay rent there, they sure cannot pay it anywhere else.

At this point, I asked the sheriff if he believed that the dislocated workers could solve their problem by migrating to other areas, and he replied:

No, sir; I do not think that is the answer. * * * You have got to do something in your own State where the people born and raised in this State do not know anything else but mining. And this bill—I looked at it—(he was referring here to S. 722) would bring something in here and educate these people to other types of work, which is going to be the only salvation I can see.

Mr. President, these words I have quoted are not scholarly rhetoric, but they tell very eloquently the human story of the desperate needs and prayerful hopes of those men, women, and children who are trapped today in America's pockets of lingering joblessness.

These people are crying out to us today. They are fervently asking, not for a free Government handout, but for a chance to go back to work, and once more earn their way as productive American citizens. This plea is evident, not just in the testimony of Sheriff Chambers, but throughout the thousands of words of testimony which have been gathered in West Virginia and in other depressed areas.

Mr. President, I now am happy to yield to my delightful friend from Wisconsin for his comments.

Mr. PROXMIRE. First I wish to commend the junior Senator from West Virginia for an eloquent and extremely timely speech on a bill which, I agree with the Senator, is enormously important. I think it is one of the most important bills for consideration at this session of Congress.

I believe the point the Senator from West Virginia is making, which is most compelling, and the point which he made so well in quoting the testimony of Sheriff Chambers, is that this is a different kind of unemployment from the kind with which we are dealing under the unemployment compensation program, or perhaps under the monetary policies or fiscal policies or by other kinds of governmental action. This is not a seasonal unemployment, which is going to be taken care of in the coming months as summer activities and outdoor activities step up. This is not a cyclical kind of unemployment, which will be taken care of as the business cycle sweeps ahead.

As the Senator from West Virginia pointed out so well, this unemployment really cannot be solved by having people migrate from the only place they know, from their home community where they have roots. This is a chronic unemployment situation, and the only way it can be solved is by bringing in new industry and, as I understand the situation, by assisting the people who want to work and who have demonstrated their character and ability in the past but who simply need training and education, which can be provided quite simply and quite inexpensively in many, many cases.

I think the bill which the Senator from West Virginia is supporting so eloquently is enormously important not only to West Virginia and Pennsylvania but also to my State. The State of Wisconsin at the present time is fortunate, in that the rate of unemployment is below the national average. However, we have some areas in the northern part of our State which have been depressed areas in the past, and which in the future, would be benefited by passage of this kind of bill.

I think it is necessary that all citizens and all Senators, regardless of the State from which they come and regardless of the relative prosperity, should recognize the kind of problem the Senator from West Virginia is describing so well, chronic unemployment, caused by a very serious, long term, permanent depression in a significant industry, which can really only be solved on a national basis and can only be solved if we have the heart and the sympathy and the human understanding I think is embodied in the bill.

I commend the Senator from West Virginia for an excellent speech and I am happy to give him all the support I can.

Mr. BYRD of West Virginia. I thank the Senator from Wisconsin. He is exactly correct in saying that it is not seasonal unemployment that has blighted my State.

West Virginia is the greatest bituminous coal-producing State in the country. In 1923, 704,000 coal miners were employed in this country. Now there are fewer than 200,000 miners working. West Virginia has based its economy on this one industry, we might say. Even though it is a great agricultural State, yet its economy has been geared to the coal industry. Mechanization in that industry has come to stay.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. BYRD of West Virginia. I yield.

Mr. PROXMIRE. I think the point the Senator from West Virginia makes is an excellent point. As he says, the economy of the State is geared, and has been geared, to mining. While there are agricultural and service industries, the agriculture of the area and the service industry of the area depend for their prosperity upon mining. So when tens of thousands of miners are laid off in West Virginia, the effect on small business, the effect on agriculture, and the effect on virtually all industry, is serious and most damaging.

I think the point the Senator from West Virginia makes in this respect is most important and most compelling. This is not merely a problem of doing something about the coal industry. It is a problem of getting new industry in the State, in order that the service industry and other industries which have found employment by meeting the needs of coal miners may again furnish employment.

Mr. BYRD of West Virginia. Exactly. There was a time when 100 percent of all the coal produced was produced by hand loaders. Today more than 90 percent of the coal produced is produced by machinery. It is very high-cost machinery.

One continuous loading machine costs perhaps $125,000. One of the great power shovels which can scoop up 90 tons at a bite costs perhaps $2½ million. With such great expenditures for plant and equipment, I am confident that the mines in West Virginia and elsewhere will never again see great numbers of hand loaders and great numbers of miners employed—men who once earned their bread and butter working in the bowels of the earth to bring out the black diamonds.

If we cannot expect the mining industry to employ those workers, it will be necessary, as the Senator from Wisconsin has so ably pointed out, to make possible the diversification of the economy and the location of new industries.

Those people are in debt. They are unable to migrate elsewhere. They have no money with which to purchase bus tickets. They do not have the money for board and lodging in some distant city. They are tied to the spot, as it were; and it is imperative that we take action quickly to make it possible for them again to take their place in society.

I see in Senate bill 722 the instrument whereby this can be done.

Mr. RANDOLPH. Mr. President, will my colleague yield?

Mr. BYRD of West Virginia. I yield to my colleague.

Mr. RANDOLPH. The persuasive argument which the junior Senator from West Virginia has been making this afternoon, and the emphasis he has placed upon the needs of the miners for other employment because of mechanization within the mines and the automation which has taken place, which has changed the character of production,

lead me to make this observation: I wonder if it would not be appropriate at this point to indicate to Senators who are in the Chamber, and to those who will later read what the Senator is saying, the provision within Senate bill 722 with respect to the retraining of workers. I believe this feature of the proposal is most important.

Mr. BYRD of West Virginia. In answer to the question of the senior Senator from West Virginia, Senate bill 722 provides that the Secretary of Labor shall determine the vocational training or retraining needs of the unemployed individuals residing in the areas designated by the administrator of the new agency as industrial redevelopment areas, or rural redevelopment areas.

After the needs have been determined, the Secretary of Labor, when he finds that additional facilities or services are needed in such an area, will then advise the Secretary of the Department of Health, Education, and Welfare, and the Secretary of the Department of Health, Education, and Welfare will provide assistance, including financial assistance when necessary, to the appropriate State vocational education agency in order to furnish additional training and services.

If the Secretary of the Department of Health, Education, and Welfare should find that the State agency is unable to provide such services and facilities, then the Secretary of the Department of Health, Education, and Welfare may, after consultation with the State agency, provide for the facilities and services by agreement or contract with public or private educational institutions.

I feel that this is one of the most important features of the bill. As the Governor of West Virginia, who happens to be a member of the opposite political party, so well stated when he appeared before our subcommittee in West Virginia, this is one of the most important provisions of the bill. He indicated his strong support of it, and of the provision for subsistence payments; and one after another of his departmental heads who followed him supported his testimony as they indicated vigorously that they believed this provision of the bill to be very necessary if we are to help those people prepare themselves to take their place in the new industries which may be encouraged to locate in the State.

Mr. RANDOLPH. Mr. President, will my colleague further yield?

Mr. BYRD of West Virginia. I yield.

Mr. RANDOLPH. The junior Senator from West Virginia has mentioned the comment by the Governor of West Virginia in reference not only to the feature providing for retraining of workers, but also the need for a positive approach in the matter of subsistence payments. I believe that at this juncture in the Senator's remarks it might be well for him to indicate the action within the Committee on Banking and Currency with reference to subsistence payments—an action which I believe was taken yesterday, when the bill was reported with an amendment.

Mr. BYRD of West Virginia. Yesterday the committee took action to extend from 13 weeks to 16 weeks the period during which subsistence payments may be made. The original provision in the bill was for 13 weeks.

In regard to the question of retraining of dislocated workers, I should like to quote at this time a statement which was made by a Mr. Hunter Bennett, a very capable attorney in western West Virginia when he appeared before our subcommittee during the hearings at Morgantown.

He said:

I am very doubtful that any new industry is going to come to Lewis County unless some arrangements can be made to train the workers to work in the industry so that the industry does not have a large training bill to pay itself.

Then I said:

Mr. Bennett, you are a native of Lewis County?

Mr. Bennett replied:

That is correct; yes.

Then the following colloquy occurred:

Senator BYRD. You are an attorney in Lewis County?

Mr. BENNETT. Yes.

Senator BYRD. You have indicated this evening that industries have failed to locate in your county because of the fact that they are not able, or at least they are not willing, to expend the moneys required to retain the available labor in your county for the types of jobs that would have to be done were those industries to locate there?

Mr. BENNETT. In my opinion, that is correct.

Mr. President, I should also like to bring to the attention of the Senate today an excerpt from a report which was filed by Dr. Laird, of Montgomery, recently, because I think it is pertinent. In his report, the doctor said:

On December 8 a man was brought to the hospital in a state of absolute collapse. He was hardly more than a skeleton covered with skin. The emaciation was absolutely shocking. The diagnosis was starvation. He was almost completely dehydrated. After 24 hours' hospitalization, he was still weak and almost helpless, even though intravenous feedings were being administered. A few days after admission he died. The cause of death was recorded as starvation.

This case is a reminder to us that in these days of acute deprivation we owe a duty to unfortunate individuals like this. They are victims of the depressed business cycle, and challenge all our interest and concern.

The number of patients who are being classified as guests is steadily increasing. The situation of many of these people is desperately pitiful. Life has kicked a lot of them around considerably. It is important for us to make their last days as comfortable as possible. Their appreciation moves us deeply. I believe I have seen not a single one who does not appreciate kindness.

Between 23,000 and 25,000 people in Fayette County are receiving surplus commodities. This is a fairly good index of the seriousness of the situation.

Mr. President, it is clear that the need exists—the need for Federal assistance, and the need for legislation which will permit the Federal Government to move in the direction that S. 722 would provide. The proposed legislation would stimulate and provide initiative. It would stimulate and provide enterprise. It would make it possible for these people in the depressed areas to lift themselves up by their own bootstraps. However, first of all they will have to have the bootstraps.

Mr. RANDOLPH. Mr. President, would my colleague, perhaps, explain the feature of the repayment of the loans which would be made? There is a need for capital. That is a lack of ability to secure loans. I believe that provision for long-term loans at a reasonable rate of interest is very important, because the Senator has indicated to the Members of the Senate that this is a measure which is businesslike. I believe that the feature of the loan provision would be important.

Mr. BYRD of West Virginia. My colleague from West Virginia makes a very salient point. This is not legislation which would provide a dole. The people of West Virginia are not looking for a dole. There is only one thing the people of West Virginia are asking for, and that is an opportunity to exert their energies so that they may obtain something for their families.

The proposed legislation would set up three $100 million revolving loan funds. Two of the revolving loan funds would be for the purpose of extending loans on a long term low interest basis to those areas which would qualify under the criteria for loans. They would be repaid. The loans would be made for industrial projects, for buildings, for machinery, for facilities.

The third revolving fund of $100 million would be for the purpose of extending long term low interest rate loans to industrial redevelopment areas and rural redevelopment areas for the construction of public facilities, sewage disposal systems, industrial parks, the provision of industrial water, access roads, and so on—facilities which are absolutely necessary if an area is to equip itself in such a way as to induce new industry to locate therein.

I believe that at this point, in answer to the question of my distinguished colleague from West Virginia, I should quote the statement which was made to the subcommittee by Dr. Leo Fishman, professor of economics and finance at West Virginia University, Morgantown, W. Va. Dr. Fishman said:

As I suggested earlier in the day, West Virginia banks are exceedingly small, largely because the cities in West Virginia are small; and, secondly, because we have a unit banking system which virtually guarantees that the banks in the State will remain quite small. Moreover, there is a provision affecting banks in West Virginia, as in the country as a whole, which stipulates that no bank shall lend more than 10 percent of its capital and surplus to any single borrower. Since the capital and surplus of the West Virginia banks in general is small, the amount of funds they are empowered to lend is therefore necessarily small, too. The requirement of the large volume of capital to support the construction of new facilities or the rehabilitation of existing facilities will, in most communities in West Virginia, require an application to some outside financial sources, which is not readily available at the present time.

Mr. President, this statement and other important testimony which was gathered during the course of the hearings make it amply evident that we must

have some kind of legislation which will make possible long-term low-interest rate loans to those communities which are very desirous of helping themselves.

It is my considered belief that one measure now before Congress—the area redevelopment bill of Senator DOUGLAS—is imperative. I feel that S. 722 is capable of taking positive, long-range steps to save America's unemployed families from increasing hunger and suffering. And I respectfully urge each of my colleagues in this House of Congress to join with me in working for its prompt passage.

Mr. RANDOLPH. Mr. President, would the Senator care to comment on the veto of the President during the 85th Congress of the legislation and to express, as I know the Senator will, the affirmative action which he trusts will take place on the measure which we hope the Senate will consider in the near future?

Mr. BYRD of West Virginia. I can only say that I regret greatly that the President of the United States vetoed a somewhat similar measure which was passed by both Houses of Congress last year.

He pocket vetoed the measure, and by so doing delayed for many precious months the effectation which we hope will come with the passage of the bill.

I express my sincere hope that the President of the United States will not veto this measure when it is placed before him. I believe that he is more aware of the suffering and the unemployment which exists in West Virginia and other areas of the Nation, perhaps, than he was when a similar bill was placed before him last year. I do not believe the President wishes to exhibit a callous attitude toward proposed legislation of this kind. I believe in him to that extent. I hope and am confident—I do not presume to speak for him, of course—that he will sign the bill this year.

If the President fails to sign the bill, then I shall join with other Senators in placing the matter before the people and in marshaling our forces toward overriding the veto, because this kind of legislation is needed. It is needed now. The people of America are crying out for it.

If the United States is to remain strong internationally, it will have to remain strong economically. If we are to remain strong economically, our people must have the opportunity to work, to earn a living, to pay their debts, to buy their homes, and to pay the taxes with which this Nation can be girded with the armaments of defense.

TESTIMONIAL DINNER HONORING FORMER REPRESENTATIVE BROOKS HAYS

Mr. GORE. Mr. President, I ask unanimous consent to have printed in the body of the RECORD certain proceedings relating to the testimonial dinner honoring former Representative Brooks Hays: An address delivered by the distinguished junior Senator from Oklahoma, Hon. A. S. MIKE MONRONEY; an address delivered by Dr. Billy Graham; the contents of a scroll presented to the Honorable Brooks Hays; and some excerpts from the remarks of the Honorable Brooks Hays himself.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

ADDRESS BY SENATOR A. S. MIKE MONRONEY, OF OKLAHOMA

Tonight we are paying tribute to a modern-day hero, who in temporary political defeat has won a lasting spiritual victory—and a place in the hearts of millions of Americans.

We are here because we know Brooks Hays for what he is—a man who will not leave the path which conscience sets. His loyalty to those ultimate virtues of love and courage has set a high mark in our political life. A prefabricated sticker may mutilate a ballot, but not this record.

It has been my privilege to serve with him since he was sworn in as a Member of the Congress in 1943. We sat side by side on the House Banking and Currency Committee. That he had the courage required to be a great Congressman was apparent from the start.

My earliest memories of his service—and his courage—were in the days of OPA when the great economic pressures of special interest groups plagued our committee's efforts to hold the line against disastrous inflation. The strife—and at times the intolerant, unreasoning, inflamed passions of economic avarice—were a small-scale replica of the struggle we now witness over civil rights.

It was here that I first learned to respect the careful and tolerant aproach to legislative problems that Brooks always took. No testimony or demand was so brash or so unreasonable that he would not carefully hear it out. He was ever courteous, attentive, and fair. And having weighed any testimony—he would then follow the dictates of his mind and his heart to reach what he thought was a just and equitable decision.

Often, as now, the decisions he had to make were unpopular with those who sought short-range goals and failed to consider the Nation's ultimate security and integrity.

Upon his promotion to the Foreign Affairs Committee of the House—he approached our world problems with the same fairminded judgment and with the same farsighted interest in his Nation's welfare. This innate fairness and his love of all his fellow men later made him one of our Nation's most effective representatives in the United Nations.

It was this same concern for our long-range future as a Nation, and this same sense of tolerance that led him to take a leading part in attempting to bridge the chasm that was beginning to split his home State asunder. He might have joined the unreasoning clamor and rushed in political panic to join the crowds in the street.

But this would have been contrary to the great faith by which he lives. Like the other moderates of our history who have made a path through the turbulence of issues of passion, Brooks sought to give leadership to dispel bitterness and hatred and to substitute reason and tolerance until a middle ground could be found.

The paste-in election and temporary defeat at the hands of those he sought to help is not an unusual occurrence. The musty pages of our history books are filled with names of moderates who were once thought destroyed by intemperates in moments of panic. Few can now recall the names of those who sought to destroy—but the names of Daniel Webster, of Lincoln, of Andrew Johnson, and of Woodrow Wilson have been remembered by a grateful America. It was their faith in their people and their search for peaceful and tranquil relations among all Americans that placed them in their secure niche of history.

It is interesting to note—and I am sure no one appreciates this fact more than Brooks—that intemperance and intolerance are not confined to sectional lines.

Brooks Hays has lost nothing. It is his Nation and colleagues in the Congress who are the losers—for he has brought into our lives the example of a courageous Christian leader.

TEXT OF ADDRESS BY DR. BILLY GRAHAM

I heard of three Kiwanians at their national convention who were discussing the merits of their respective professions. The first, a physician, said, "I think the medical profession is the greatest, for after all, Luke was a physician, and the Bible has a great deal to say about our profession." The second, an engineer, said, "Away back in the book of Genesis we are told that order was brought out of chaos. Now that took engineering, so I contend that the work of the engineer is the greatest." The politician interrupted and said, "Wait a minute. Who do you think created that chaos?"

Now Brooks Hays is not among the politicians that create chaos. He has exemplified, for 16 years, what many of us have often urged: That we need Christian leaders in politics.

It always amuses me to hear discussions on the old problem of religion and politics, and to think what such discussions would have meant to men like Jeremiah, Amos, Isaiah, and Ezekiel. For in fact, half their time was spent in trying to bring home to the men of their day the fact that God was directly concerned in the way society was organized, in the way wealth was distributed, in the way men behaved to one another. In short—in politics.

Brooks Hays has been one of those rare jewels that has helped lift the word "politics" out of the mud, slime, and mire, to help it have a new meaning in modern America.

Brooks Hays is more than a great political leader. He is every inch a Christian statesman who has been given the highest honor that his religious denomination can bestow upon him. As the president of the Southern Baptist Convention, he heads one of the largest religious bodies in the world. Make no mistake about it, he has the overwhelming support of the people of his denomination.

There are, unfortunately, few men who are qualified to serve equally well in both fields. Brooks Hays is one of these men, and in the sovereign plan of God, circumstances have released him to a larger and even more important work. While our political life is in desperate need of leadership, our religious life is equally in need of leadership.

During the months to come, Mr. Hays will be called upon to travel throughout the world, speaking on behalf of millions of Baptists and will, in my humble opinion, have even greater influence that he had on the floor of the Congress.

We hear a lot about political demagogs. How cheap and easy it is to let such words slip off our thoughtless tongues. But I think it speaks well for the qualities of our governmental leadership, when one of our largest denominations chooses a man from our Congress to be their spiritual leader. The Southern Baptist Convention, of which I am a member, has paid Congressman Hays this tribute. Such a tribute is more eloquent than any word that I or others may speak tonight.

To those of us who call him a personal friend, Brooks Hays is a rare combination of a man. He combines the humor of a Mark Twain, the commonsense of a Benjamin Franklin, and the integrity of Lincoln.

He can smile his way through difficulty, think his way through trouble, and pray his way through hardships.

The entire Nation was stunned a few weeks ago when it learned that a writein candidate had apparently defeated our friend. The people of Arkansas were even more stunned. Brooks Hays not only gave them the representation of 16 years of seniority, but of tremendous national influence. Little Rock realizes it has made a tragic mistake, and will, in my opinion, rectify this mistake in short order. Brooks Hays is familiar with Arkansas mud and perhaps a good deal of it was thrown his way during the recent election. But that doesn't dismay our friend. He has no doubt told the story of a man who was driving his jeep through a mud-hole down in Arkansas and noticed a hat lying in the middle of the road. He stopped his jeep, got out and picked up the hat only to find a man under it. "My good fellow," said the man, "give me your hand and let me help you out." "Nope, I'll make it all right," said the bogged-down fellow. "This old mule I'm on will take me through."

Congressman Hays' good humor, common sense, and integrity will take him through.

He has served his country well, from the Fifth Arkansas District which has been in catastrophic ferment during the past 3 years. He has not yielded to either extreme. His common sense has kept him in the middle of the road when most men were traveling the ruts on either side. Congressman Hays doesn't just think of light as being to the left or the right. He has a vertical vision, also, which sees men above or below the standard that God has for us. There is a difference between an arbitrator and a mediator. An arbitrator is neutral and objective, not sympathetic to either side. On the other hand, a mediator is sympathetic to both, understanding both, partial to both, belonging to both. Brooks Hays is a true mediator. He belongs to the people of Arkansas and to the people of the Nation. This is why Jesus Christ has been called in Scripture a mediator. He is God and He is man. He is part of both. Thus, He can effectually reconcile God and man. Brooks Hays' service, his philosophy and his life, remind us of the importance of sterling character in the business of building a better world.

The other day Dr. Ralph Oberman, director of the Atoms for Peace program of our Government, showed me around our atomic plant at Oak Ridge, Tenn. He said something I would like to share with you tonight. He said "The atom has the power to build a better world or destroy the one we have, and the atom doesn't care which purpose it serves, for it has no conscience." And then he said something I shall never forget as long as I live. He said "It's the man that makes the difference."

So our problem is not the atom, but the quality of man behind the atom. Our problem is not Government, but the kind of men we have behind the Government. Our problem is not education, but the kind of men we have running education. Our problem is not the church, but the kind and quality of men we have in the church. Brooks Hays represents the kind of man we need in Government, society, education, and the church.

Sometimes, to be God's man in an hour of crisis, results in controversy and temporary setbacks. We can retire from the battle as some men do and be content with cultivating our own inner life. There is what Milton calls a fugitive and cloistered virtue that slinks out of the race where that immortal garland is to be run for, not without destiny. He might have been content, especially after his blindness, to retire within himself and write his great poems. But he flung himself into the battle and helped to build an England where men were free to think and to speak.

I am convinced that this temporary defeat has already been turned into a triumphant victory for Brooks Hays because of his exceptionally outstanding ability, Christian character, and qualifications. I feel he is destined to play an important role in the future as we face the many problems that trouble the South and harass the entire world. In these days of baffling world problems and domestic problems that seem, at times, unsurmountable, let us pray that God may give us a double portion of Brooks Hays' good humor, common sense, and spiritual integrity, and that the spiritual ideal of one Nation under God, with liberty and justice toward all, may not just be something we say, but something we live, across the length and breadth of our Nation.

PRESENTATION OF SCROLL

The National Committee To Honor Brooks Hays presents to you, Brooks Hays, this scroll to honor you:

We salute you first as a human being, a very human being, whose gift of laughter has spread its clean, homely wit far and wide among all who know you.

We salute you as an educator, an expositor of truth, a clarifier of the complex, an inspiration to youth.

We salute you as a lawyer, who sees clearly what the rule of law can mean to a people, an apostle of constitutionalism sensitive to its new meanings in a changing age.

We salute you as a statesman. Your many terms in Congress have combined the wisdom of conciliation, and a gallant greatness in devotion to principle. A party man on appropriate occasions, at heart you have been greater than party.

We salute you as a man of courage, never more than in this day, a day which some may count a day of defeat, but which to us is a day of victory.

We salute you as a man of faith. We count this the greatest of all, because we know that it is to you of all things most precious. The love of others for you, as your love for them, knows no boundaries of creed in the consciousness of the common fatherhood of God.

EXCERPTS FROM REMARKS OF BROOKS HAYS, DECEMBER 18, 1958

On this occasion I believe I will be forgiven for speaking intimately of the most significant experience of my political life, my defeat on November 4. One of our great Americans, Walter Hines Page, said "the world is infinitely cruel but the world is also infinitely kind." It has certainly been kind to us, particularly since that election. My misfortune tapped the sources of sympathy in 48 States, for that is exactly the number we have heard from.

It has led some of my friends to the discouraging conclusion that the cause of moderation is hopeless, but I do not agree, since so much of my mail is from the South and virtually all of it is favorable. Moreover, while I am stuck with the label and will not renounce it, I am starting no new cult under that name. Moderation is not invariably a virtue. Truth is often highly partisan. And anyway, there are more precise ways of describing what we are about.

For assuming the risk of displeasing certain political powers, I have drawn occasional compliments for courage. I am reminded by them of the Cabinet member in the Norwegian Government who was commended for courage in opposing Hitler's regime. His reply was: "It wasn't courage. We just decided that a certain course of action was necessary and when the logic of the situation called for such action, the steps in that course just came in natural sequence." So I would prefer to speak in terms of the values we are defending. I presume from what is being said that my defeat might add something to that defense; if so, I would be happy. While I honor the office of Representative, I am convinced that under the circumstances the loss of my seat in Congress is not too big a price to pay.

Is there a standard to which the just and prudent may repair? There is. First, it seems to me, is an appreciation of what the rule of law means in sustaining our liberties and our property. The point does not need laboring, but the times do call for reminders that the Constitution provides a method for change and that until changed, unpopular as well as popular laws must be respected. Odium does not attach to lawful protests against statutes or decisions. Defiance is another matter.

The Federal system presents difficulties, but it is the American way and it can be made to work. The greater and stronger power in the hands of the National Government must be responsibly and patiently exercised, and the corollary is that grievances of groups or regions must be so phrased that love of country is not obscured. The patriot and the dissenter may inhabit the same heart. In spite of strains upon it, I believe we are on our way to recovering the strong sense of national community which has maintained us through wars and depressions. It is indispensable.

Secondly, we must have a firm commitment to the democratic tradition as expressed in our procedures and institutions. Our public school system must be preserved. Without it, the freedom that flowers from an educated citizenry would perish. James Madison put it succinctly: "Without popular education, popular government will be a farce or a tragedy, perhaps both." We know that there can be no government of and for the people without government by the people. Citizens of a racial minority who meet the qualifications prescribed for electors should not be denied a vote because of race. This, too, is basic.

There are procedural standards to be rigidly defended in attaining government by consent of the governed. I have cheerfully accepted several defeats because I acknowledge the principle of majority rule. That rule will be frustrated, however, unless the people are given an opportunity to secure and deliberate upon the facts and the issues. That is the reason we have filing dates that give candidates time to defend themselves and legal restrictions regarding the use of money and libelous material in campaigns. And throughout the structure of popular government there must be such respect for the minority that public policy is built on wisdom and justice in representative functions, not on the sophistry that the majority's judgment is always wise and best for the people. Congressional rules devised long ago have protected minority rights of every kind. I might add that if we moderates are a minority we are still conforming to our region's cherished tradition in asking that majorities not be indifferent to this principle. In the 1958 campaigning I was not trying to ride a popular idea. I was trying to popularize an idea that had become so much a part of me I could not rid myself of it if I had tried.

The third imperative is disciplined freedom. This embraces the right to maintain private schools at private expense, not as a substitute for public education but as a privilege in American life that not only adds to our cultural enrichment but helps to preserve the independence of viewpoint that makes freedom possible. This principle grants to both the proponents and opponents of proposed changes the right to organize, and their rights are not forfeited by methods and manners that are not admirable so long as they are not illegal.

Finally, there must be a due concern for the preservation of our common faith—the faith which sustains our position of world leadership. If there were not other and

higher motivations we would still be inspired to bind up the Nation's wounds by the knowledge that a ruthless force is loose in the world and that our failure at this point would be exploited. The door that religion alone can open leads to a sure passageway of peace and justice.

We are really not disunited; we are merely enjoying our freedoms. One of the enigmas of modern life is that ill will looks so deceptively strong while the conquering power of compassion appears so frail. Any sectional cleavages should merely spur us on to greater exertions in building bridges of understanding and dispelling fears of antagonism. We cannot exalt a common faith without acknowledging our common humanity and resolving to attack common enemies—disease, ignorance, intolerance, juvenile delinquency, and poverty.

There are lessons in American history to support the course of moderation, notably the careers of two beloved Americans, Abraham Lincoln, and Robert E. Lee. The North understands better, perhaps, in the present perspective the adulation which the South has evidenced for General Lee, and happily we have come to the place where one can point to the sentiment which Lincoln entertained for the South without a question as to its relevancy. You may have heard of the incident recorded of General Lee during the time that he served as president of Washington College at Lexington. It is said that he was sitting on the front porch of the president's home with a neighbor one afternoon when an old man stopped at the gate. He was shabbily dressed, and when the general walked down to the gate to hand him something and returned to his chair, the visitor looked curious, so the great man merely said, "One of the boys needing a little help." "What outfit did he fight with?" the neighbor asked. "I wouldn't know," replied the general, "you see, he was on the other side."

I cannot help thinking that Abraham Lincoln intended to include southern sorrows when he spoke of the mystic cords of memory stretching from every patriot grave and battlefield to every living heart and hearthstone. He said to a friend, George Floyd, in the Quincy Hotel lobby, "I have not suffered from the South, I have suffered with the South." But the moderates of that period were not strong enough to hold the middle ground occupied by these two men who, though enemies in war, must have respected each other and were congenial in the philosophy of mediation.

I know from what I have seen and heard since November 4 that healing hands are being laid upon the bruises of ill will and human conflict and that the task of educating both sides and all sides to the alternative solutions of the problem can be accomplished. My hope is strong now that compassion will be matched by imagination in the arts of government so that our lives that are so interlocked and interrelated may be blessed and may be made secure in God's love.

ADJOURNMENT TO MONDAY

Mr. BYRD of West Virginia. Mr. President, I move that the Senate adjourn until 12 o'clock noon on Monday next.

The motion was agreed to; and (at 4 o'clock and 53 minutes p.m.) the Senate adjourned until Monday, March 16, 1959, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate March 12, 1959:

Subject to qualifications provided by law, the following for permanent appointment to the grades indicated in the Coast and Geodetic Survey:

To be captains

Edward B. Brown
John C. Ellerbe
James C. Tison, Jr.
Edmund L. Jones
Kenneth S. Ulm

To be commanders

Francis X. Popper
Howard S. Cole
Raymond M. Stone
Lorin F. Woodcock
Marvin T. Paulson
V. Ralph Sobieralski
Lorne G. Taylor

To be lieutenant commanders

Arthur R. Benton, Jr.
Eugene A. Taylor
William D. Barbee
Herbert R. Lippold, Jr.
Roger F. Lanier
John B. Watkins, Jr.
Jack E. Guth
Robert E. Williams

To be lieutenant

Lavon L. Posey

To be lieutenants (junior grade)

John J. McCoy
Vello Kiisk
Loyd D. Thurman
Philip L. Rotondo
Roy W. Entz
Robert W. Franklin
Ben Frank Worsham III
Bobby S. Woodruff
Sidney C. Miller
Duane L. Georgeson
Gerald D. Bradford
Wesley P. James
Mart Kask
Ronald M. Buffington
Morris J. Rothenberg
Bobby W. Jester

To be ensigns

Richard F. Dudley
Thomas B. Fox
Renworth R. Floyd
William L. Hart
Robert L. Sandquist
Raymond L. Speer
Larry L. Wilkerson

CONFIRMATIONS

Executive nominations confirmed by the Senate March 12, 1959:

THE FEDERAL RESERVE SYSTEM

George Harold King, Jr., of Mississippi, to be a member of the Board of Governors of the Federal Reserve System for the unexpired term of 14 years from February 1, 1946.

THE COUNCIL OF ECONOMIC ADVISERS

Karl Brandt, of California, to be a member of the Council of Economic Advisers.

HOUSE OF REPRESENTATIVES

THURSDAY, MARCH 12, 1959

The House met at 11 o'clock a.m.

Rev. Alan J. Davis, North Royalton Methodist Church, North Royalton, Ohio, offered the following prayer:

Eternal God, Father of us all, to whom with confidence we turn for guidance and for strength, we thank Thee now for the countless blessings Thou hast bestowed upon us. Grant, O God, that we be not wasteful of them.

May we waste not the precious days Thou hast given us. Help us to do this day what needs most to be done.

May we in our deliberations waste not words. Enable us to use the gift of speech with truth and compassion.

May we in our work waste not the moneys entrusted to our care. Guide us with wisdom and justice in their allocation.

And may we waste not the opportunities for leadership and service with which Thou hast honored us. May we have the moral courage to ever defend and work for that which is most pleasing to Thee.

Dear God, hear us as we pray, and be with us in our assemblies, for the sake of our Lord Jesus Christ. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 2260. An act to extend until July 1, 1963, the induction provision of the Universal Military Training and Service Act; the provisions of the act of August 3, 1950, suspending personnel strengths of the Armed Forces; and the Dependents Assistance Act of 1950.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 50. An act to provide for the admission of the State of Hawaii into the Union.

EXTENDING UNIVERSAL MILITARY TRAINING ACT

Mr. VINSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill H.R. 2260, an act to extend until July 1, 1963, the induction provisions of the Universal Military Training and Service Act; the provisions of the act of August 3, 1950, suspending personnel strengths of the Armed Forces; and the Dependents Assistance Act of 1950, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 2, after line 10, insert:

"SEC. 5. Section 203 of the Career Compensation Act of 1949, as amended, is amended by striking out 'July 1, 1959' wherever such date appears therein and inserting 'July 1, 1963' in lieu thereof."

Amend the title so as to read: "An act to extend the induction provisions of the Universal Military Training and Service Act, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. ARENDS. Mr. Speaker, reserving the right to object, and I shall not object, I wish the chairman would just explain what this amendment does.

Mr. VINSON. Mr. Speaker, the Senate amended the bill by adding to it a legislative proposal by the Department of Defense that continues eligibility for special pay for physicians, dentists, and veterinarians entering on active duty after July 1, 1959.

In an attempt to procure more physicians and dentists, and to make military medical compensation more competitive with civilian incomes by persons with similar experience, there has been in effect for several years a system of special pay for physicians, dentists, and veterinarians. The amount of this special pay is graduated in accordance with length of service. Medical and dental

officers with less than 2 years of active duty are eligible for special pay of $100 a month. Those with more than 2, but less than 6 years of service, are eligible for $150. Those with more than 6, but less than 10 years of such service are eligible for $200 a month. Those with more than 10 years may receive $250 a month. Veterinarians are eligible for $100 a month in special pay, regardless of length of service.

Physicians, dentists, and veterinarians already on active duty, or entering on active duty before July 1, 1959, would continue to receive this special pay, even if this amendment were not adopted. The amendment permits officers in these categories who enter on active duty between July 1, 1959, and July 1, 1963, to be eligible for these special payments in the same manner and amount that officers already on active duty are now receiving.

Mr. ARENDS. Mr. Speaker, I heartily am in accord with that, and I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

ORDER OF BUSINESS

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order in connection with the Hawaiian statehood bill to consider the Senate bill in lieu of the bill H.R. 4221 and under the same terms and conditions of the special rule adopted yesterday in relation to the Hawaiian statehood bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. PILLION. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

JOINT MEETING ON WEDNESDAY, MARCH 18, 1959, TO RECEIVE THE PRESIDENT OF IRELAND

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent that it may be in order at any time on Wednesday, March 18, 1959, for the Speaker to declare a recess for the purpose of receiving in joint meeting the President of Ireland.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

PERMISSION TO SIT DURING GENERAL DEBATE

Mr. ANFUSO. Mr. Speaker, I ask unanimous consent that the Committee on Science and Astronautics may be permitted to sit during general debate on the bill H.R. 4221.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

TRADE BARRIERS AGAINST FREE FLOW OF MILK

Mr. QUIE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. If it does not exceed 300 words. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, news that the Maryland-Virginia Milk Producers Association is asking the Governor of Maryland to further erect trade barriers in his State against the free flow of milk from throughout the Nation is fresh evidence of the need of a National Sanitation Standards Act for milk.

For a long time, an effective blockade has been in force in the District of Columbia under the guise of arbitrary sanitation inspections. This action by the association shows that it wants to use every means at hand to further prevent distribution of milk which can qualify under any reasonable health inspection.

Many times in the past, Mr. Speaker, I have urged passage of the National Sanitation Standards Act—but this action by the association only reinforces the argument.

Passage of this act would put the distribution of milk on a fair basis—and would insure that the only barrier to entry of outside milk would be on an economic basis.

Considering present Washington, D.C., milk prices, it is evident that Minnesota milk can favorably compete on this basis. The class 1 price for milk delivered to plants in the Twin Cities of Minnesota is $3.73 per hundred pounds in March. Any increased handling costs in preparing the milk for transportation to the District of Columbia would not be greater than 10 cents per hundred pounds. This fact was established conclusively by researchers at the University of Minnesota. Transportation costs to the District of Columbia would be $1.80 per hundred pounds. This means that Minnesota milk can be delivered to Washington, D.C., from a Twin City Milk Producers Association plant for $5.63 per hundred or 99 cents less than the present Washington price, a saving of better than 2 cents a quart to the consumer.

The need for a National Sanitation Standards Act was never more evident now that the Virginia-Maryland Milk Producers Association has decided on this step.

HAWAII STATEHOOD

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4221) to provide for the admission of the State of Hawaii into the Union.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 4221) with Mr. KILDAY in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. The Chair will state that when the Committee rose on yesterday the gentleman from New York [Mr. O'BRIEN] had 1 hour and 44 minutes remaining, the gentleman from Washington [Mr. WESTLAND] 1 hour and 47 minutes.

The Chair recognizes the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN of New York. Mr. Chairman, I yield 10 minutes to the gentleman from Florida [Mr. HALEY].

Mr. HALEY. Mr. Chairman, I am sorry I find myself somewhat in disagreement not only with my own committee chairman but with others on the committee reporting this bill. May I say in passing that we have a very fine chairman, and I would like to commend the gentleman from New York [Mr. O'BRIEN] for the splendid job he is doing.

Mr. Chairman, I am realistic enough to realize that certain facts of life are very evident here and that this bill is going to pass.

I have opposed Hawaii statehood bills ever since I have been in Congress for a number of reasons, and I might state that at this time sitting in this Congress today are 165 Members who at one time or another have opposed statehood for Hawaii. The vote on yesterday indicated that not that many are opposed to statehood today. I merely say to those gentlemen either that they were wrong a few years ago or they are wrong now.

I take this time, Mr. Chairman, to direct a question or two to the gentleman from Colorado in order to satisfy the mind of the gentleman from Florida who has many misgivings about this bill. I direct the following question to the gentleman from Colorado: One of the things that is very disturbing to me in this proposed bill for statehood for Hawaii is the fact that the bill itself continues what I think has been a very inefficient organization or committee in the Hawaiian Islands, namely the Hawaiian Home Commission. If the gentleman would enlighten me on that particular thing I would appreciate it. It is my understanding that the present bill under consideration will extend the life of the Hawaiian Home Commission for a period at least of 99 years, is that correct?

Mr. ASPINALL. I will try to answer the gentleman's question as logically and as directly as I possibly can. I know the gentleman's feeling about this particular question and I have some sympathy with his position. On the other hand, I do not consider that it is a problem which we should resolve in deciding on the question of statehood.

Let me state that I cannot find myself in agreement with his statement in reference to the longevity of the Hawaiian Home Commission which my colleague has just mentioned. It might be 99 years, it might be longer than 99 years. But it is provided in the act which created the Hawaiian Home Commission

that loans granted shall be for a term of 99 years.

The purpose back of this originally was, of course, to give to the Hawaiian people of 50 percent or more Hawaiian blood the right to ownership and use of some of the land that was taken away from them when the treaty was originally made. It was taken away from them even though they had no ownership individually in the lands. The land was held by the Crown and the Crown having held the land at the time of Hawaii's inclusion into the United States it then became Territorial land. When it came into the Union it was then the responsibility of the Federal Government and the Territorial government to administer the area.

What was attempted with the creation of the commission was to provide for individual ownership of homes rather than the commercial approach which we have provided for the Indian tribes of the United States.

Mr. HALEY. Of course, the gentleman is well aware of the fact that the census of native Hawaiians in 1940 showed there were only 14,375 or 3.4 percent native Hawaiians.

Let me ask the gentleman this question: Are we here going to create another situation similar to the situation we have created in regard to the American Indian, and what is going to be the responsibility of the people of America and this Congress to those people?

Mr. ASPINALL. It is my opinion that we are not creating a similar condition to that which has brought about our Indian tribal communal ownership. It is my opinion also that as the years come and go, whether for 10, 50, or 100 years, this number which is slowly dwindling will become so negligible that this land will no longer be used for the purposes for which it is now administered by the Hawaiian Home Commission. When that time comes, then it will be up to the government of the State of Hawaii, providing the bill passes, with the consent of the Congress of the United States, to make such disposition of this land as is in the best interest of the people of Hawaii.

Mr. HALEY. Of course, the gentleman is well aware of the fact that under the original organic act or the original act, approximately 400,000 acres of land was set aside to be used for the establishment of the people of Hawaii on their native land. Now, will it be the responsibility of the State of Hawaii to continue to hold that land, make it available for the settlement of the people of Hawaii?

Mr. ASPINALL. If I understand the gentleman correctly, it will be the authority and the obligation of the State of Hawaii to hold this land for the people of Hawaii.

Mr. HALEY. I thank the gentleman.

Mr. ASPINALL. May I make one more statement, if my colleague will yield?

Mr. HALEY. I yield.

Mr. ASPINALL. In a measure I agree with his statement about the discharge of their duties by the members of the Hawaiian Home Commission. On the other hand, the law provides for a leasehold interest. It has been impossible for the Hawaiian people who are entitled to benefits under the provisions of the act to borrow money from any public agency, and that is one reason why the project has not worked any better than it has. It is expected that when the new State comes into existence they will make available funds which the Hawaiian people can obtain on long-term loans so that they can take advantage of the provisions of the Hawaiian Home Commission statute.

Mr. HALEY. Will the gentleman be kind enough to answer one additional question?

Mr. ASPINALL. I will do my best.

Mr. HALEY. I am somewhat disturbed about the tremendous powers that we are turning over to the executive department in Hawaii. As the gentleman is well aware, there are only two elected executive officers, namely, the Governor and the Lieutenant Governor. Of course, the Governor can then appoint members to carry out the various functions of government in similar positions that, I might say, obtain in his own State as cabinet officers and, as I have in my State of Florida. We have cabinet officers to carry out those responsibilities. In this particular instance you are going to allow the Governor of Hawaii to nominate these men who will hold their responsible positions and positions of great power, with the concurrence, of course, of the senate, which in this particular case would be approximately 14 men. Now, does not the gentleman think, first, that that is a tremendous amount of power and, second, will it be possible under the present bill, if the people of Hawaii later find it desirable, to change their constitution to provide for constitutional officers to carry out these functions?

Mr. ASPINALL. Let me advise my colleagues of this committee to this effect: My colleague, the gentleman from Florida, has taken his chairman into his confidence and has asked him these questions before coming on the floor. And, I am most appreciative of that approach. First, I also share somewhat his views on this new departure from ordinary control of executive and administrative departments of government. On the other hand, as I answered our colleague, the gentleman from Iowa [Mr. GROSS], relative to his question about 18-year-olds voting, I suggest that this is an obligation and a responsibility of the State. Now, may I say, as I also advised my colleague from Florida, that I opposed in Colorado the question of the cabinet form of government, and we only have it partially at the present time. I am not so sure that it is so good. But, I think it is a State responsibility and a decision for the citizens of a State. As this bill is drawn, if the new State of Hawaii through its legislative processes desires to change then to a form of government which is perhaps more adaptable to our wishes, then it has the power under this bill to do so.

Mr. HALEY. I thank the gentleman from Colorado.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. HALEY. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I want to commend the gentleman from Florida for his forthright raising of these questions. As a member of the House Interior Committee, he has always been opposed to statehood for both Alaska and Hawaii. But in his approach he has always been objective; and while we may disagree on the outcome, the approach of the gentleman from Florida [Mr. HALEY] is one that everyone must respect and admire. I commend him for raising these questions with regard to the bill which is before us at the present time.

Mr. HALEY. I thank the gentleman.

Mr. O'BRIEN of New York. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KILDAY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 4221) to provide for the admission of the State of Hawaii into the Union, had come to no resolution thereon.

Mr. MCCORMACK. Mr. Speaker, I renew my unanimous-consent request, heretofore made, that it may be in order for the House to consider the bill S. 50, in lieu of the bill H.R. 4221, under the terms and provisions of House Resolution 205 adopted yesterday by the House in relation to the Hawaiian statehood bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

Mr. PILLION. Mr. Speaker, I do not renew my previous objection.

There was no objection.

TREASURY-POST OFFICE APPROPRIATION BILL, FISCAL YEAR 1960

Mr. GARY. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations have until midnight Wednesday, March 18, to file its report on the Treasury-Post Office appropriation bill for the fiscal year 1960, and that it may be taken up on the floor of the House on Thursday, March 19.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

Mr. HALLECK. Mr. Speaker, reserving the right to object—and I shall not object—I understand that this matter has been cleared with the membership of the Committee on Appropriations on our side of the aisle.

Mr. GARY. It has been cleared with everybody with whom I know it should be cleared; the gentleman from New York [Mr. TABER], the gentleman from New Jersey [Mr. CANFIELD], and also the leadership on this side of the aisle.

Mr. HALLECK. Mr. Speaker, I reserve all points of order on the bill, and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

HAWAII STATEHOOD

Mr. O'BRIEN of New York. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 50) to provide for the admission of the State of Hawaii into the Union, in lieu of the bill H.R. 4221.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill S. 50, with Mr. KILDAY in the chair.

The Clerk read the title of the bill.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Minnesota [Mr. ANDERSEN].

Mr. ANDERSEN of Minnesota. Mr. Chairman, it is gratifying to note that support for Hawaiian statehood here today is coming from both sides of the aisle. That is as it should be. The question of admitting a new State to the Union should not be a political one. Nevertheless, I should not want it to go unnoticed that the first Hawaiian statehood bill introduced in this body was authored in 1919, during the 65th Congress, by the then Republican Delegate from the Territory, Prince Jonah Kuhio Kalanianaole, who served with distinction in the House for over 20 years.

As most of us know, this body has approved Hawaiian statehood bills on three previous occasions. The first time was by the Republican 80th Congress by a vote of 196 to 133. The next time was by the Democratic 81st Congress by a vote of 262 to 110. The last time was by the Republican 83d Congress by a vote of 274 to 138. If the Members on our side of the aisle had had our way, and the bill had been brought up for consideration last summer after Alaska was admitted, I am sure Hawaii would have been admitted to the Union at that time.

Mr. Chairman, those who have opposed Hawaiian statehood in the past now have exhausted all their arguments. After countless hearings and debates, all their arguments have been tried and found wanting. Last year we disposed of the point of noncontiguity by admitting Alaska to the Union. The matter of Hawaii's distance from the mainland has been debated and found to be pointless with the advent of the jet age. The loyalty of the people of Hawaii has been questioned time and time again but has been completely disposed of by reams of evidence testifying to the fact that the people of Hawaii are no less loyal to the United States than are those anywhere here on the mainland.

The argument can no longer be advanced that the economy of Hawaii cannot support statehood. Hawaii has a sound financial base. Her dynamic development continues to attract industry. Sugar and pineapples, the foundation of Hawaii's economy, annually are produced in increasing quantities and values.

In 1957 Hawaii's 28 independent sugar plantations produced 1,085,000 tons of raw sugar on their 220,000 acres with a crop value of $148 million.

Hawaii's 9 pineapple canneries processed 30,787,000 cases of fruit and juice grown on 77,000 acres of 13 plantations. The total value of the crop was $117 million.

A notable expansion and diversification of industry is taking place. The most dramatic of recent developments was the selection of a site several miles from Honolulu for a $40 million refinery by the Standard Oil Co. of California. Construction was begun in October 1958 for this first oil refinery in Hawaii.

The islands' first steel mill, for production of reinforcing bars for the flourishing construction business, will be completed and in operation early this year.

For the fiscal year ended June 30, 1958, the Territory paid a record high of $166,306,000 in Federal taxes, more than any of 10 States, including Alaska.

Hawaii has paid more than $2,300 million in Federal taxes since becoming a Territory.

Per capita personal income in Hawaii in 1957 was $1,821, putting Hawaii in 25th place nationally, or ahead of 24 States.

Tourism is Hawaii's third basic industry, and is challenging sugar and pineapples in dollar value. Every year sees new highs in the number of visitors, which reached a record figure of 168,000 in 1957. In dollar volume this has meant a jump from $6 million in 1946 to $77 million in 1957, or an increase of 1,183 percent.

A projection by the Hawaii Visitors Bureau indicates Hawaii will be host to 280,000 tourists by 1965.

Mr. Chairman, by every yardstick Hawaii has long since passed the test of qualifying for statehood. And let there be no question that the people of Hawaii want statehood.

In the National Archives here in Washington, not far from the Declaration of Independence and the Constitution, there is a dramatic testimonial to the statehood hopes of the citizens of Hawaii.

It is the statehood honor roll, a historic petition to Congress from Hawaii's citizens, asking for immediate statehood. It was delivered to Vice President NIXON as President of the Senate, on February 26, 1954, after 116,000 signatures had been affixed in Hawaii in a few days.

The giant roll of newsprint containing the signatures is 6 feet wide, about a mile long, and is the second largest petition received in the history of the United States Congress.

Perhaps better than more formal resolutions and bills, it transmits the emotion-filled desire of Hawaii's citizens to be granted the statehood status they have so demonstrably earned.

For over half a century, the residents of the Territory have lived as Americans, worked as Americans, fought as Americans.

Only statehood can raise Hawaii's people to the dignity of Americans, first class, with the accompanying rights and privileges.

That is why Hawaii's people want statehood—now.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. MACK].

Mr. MACK of Washington. Mr. Chairman, Hawaii has been preparing for statehood for the past 50 years and the results are available for all to study. In late years more than a dozen congressional committees have investigated this proposition.

Many Members of Congress have studied the Hawaii situation at close range, and from over 100 days of congressional hearings we have nearly 5,000 pages of testimony on the subject. They have established many reasons why Hawaii should be admitted to statehood.

The reasons why Hawaii should be admitted into the Union as its 50th State, to me, are clear, convincing, and compelling.

The Congress, during many statehood debates, has established a list of traditional qualifications which a Territory should or ought to have to be considered eligible for statehood.

Among these qualifications are, first, the Territory should possess adequate area; second, it should have sufficient population; third, its economic situation should be such as to permit its people to assume and to carry their proportionate share of the Federal Government's financial responsibilities; fourth, the people of the Territory must have manifest a sincere desire for statehood; and, fifth, finally and most important, the people of the Territory must believe in the American republican form of government and be qualified by education and experience for self-government according to American traditions.

All of these five qualifications, I am convinced, the people of Hawaii now abundantly possess.

In area, the Territory of Hawaii covers more than 6,600 square miles of land. Hawaii, therefore, is larger in area than Connecticut, Rhode Island, or Delaware. Since these three now are States, an argument cannot effectively be made that Hawaii is too small in area for statehood.

In population, Hawaii now has more than half a million inhabitants. This is more people than any Territory, except Oklahoma, in all the history of the country possessed when it was admitted to statehood. Furthermore, Hawaii's present population is larger than that now possessed by six of our States. Surely, Hawaii cannot be denied statehood on the ground she has too few people.

Is the economy of Hawaii such as to permit her to assume her full share of support of the Nation's financial responsibilities? As to that qualification we also must answer in the affirmative. During recent years the people of Hawaii have paid more than $90 million a year in Federal income taxes. There are many present States which do not pay that much. To deny statehood to a people who pay so much toward the support of the Federal Government is to practice what our forefathers denounced, "taxation without representation."

Then, there is the question of whether the half million people of Hawaii want statehood. They have said they do again, again, and again. In 1940, in a plebiscite held on the issue of statehood, the people of the Territory voted 2 to 1 for statehood. The Hawaiian Territorial Legislature, composed of duly elected representatives of the Hawaiian people, have petitioned the Congress in the past half century almost a score of times for statehood. These representatives or similarly minded ones, have been elected and reelected time after time indicating they were, in petitioning statehood, expressing the will of the people.

And lastly, are the people of Hawaii qualified by training and experience for statehood? Few can doubt that they are. Their educational system is of the best. Their rate of literacy is high. For more than 50 years they have lived under and been faithful to an American system of representative form of government.

When Hawaii was admitted to the status of a Territory, the United States made her people an implied promise that, someday, when qualified, Hawaii would be admitted to statehood. The conventions of both political parties in their platforms declared that they favored statehood. We, of both parties, should keep those promises.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. HORAN].

Mr. HORAN. Mr. Chairman, in voting to admit Hawaii to statehood, as I am confident we shall do, we are admitting to equal partnership a State which is exceptionally well qualified to share the rights and responsibilities of our Nation with the older States. In fact, I believe that Hawaii's case for statehood is stronger than that of almost any of the other 36 States which have previously been admitted to the Union, since the Original Thirteen.

First, Hawaii has served an apprenticeship as an organized, incorporated Territory for 59 years, since passage of the Organic Act in 1900. Most of the present States served similar appenticeships of only 5, 10, or 20 years.

Hawaii's population today is well over 600,000, more than the population of any of the 36 States previously admitted since the founding of the Union, with the single exception of Oklahoma. Hawaii's population, in fact, is already larger than that of six of the present States, and is still growing.

Hawaii's economy is strong and progressive. Some people speak of statehood as if it were a question whether a new State could help in bearing the financial burdens of the Nation, but discussion along those lines is completely out of order when we are speaking of Hawaii, because the people of Hawaii already pay all the same Federal taxes at exactly the same rates as the rest of us on the continent do. Of course Hawaii is able to help share in those burdens; she is already doing that as a Territory. The Federal tax revenues from Hawaii are already very substantial—$166 million in 1958—greater than the Federal tax receipts collected from 10 of the present States.

In fact, statehood will make little difference to Hawaii financially, or to the rest of us either. Hawaii has never asked for nor received special favors in a financial way. The only expenses in Hawaii now paid by the Federal Government which the State will have to assume are the salaries of the Governor, his administrative assistant, the government secretary, and the members of the legislature, and part of the salaries of the territorial judiciary. Hawaii also of course receives most of the general Federal grants-in-aid, but on the same basis as the States, without special consideration or favoritism. The special Federal costs that I mentioned—the salaries of the Governor, legislators, and judges—amount to less than one-quarter of a million dollars per year on the average. These additional costs the taxpayers of Hawaii will have to pay, but they can do so easily since the current budgetary surplus of the Territory is many times that figure.

The achievement of statehood is not a matter of economic or financial gain for Hawaii. To them, it is a matter of equal political rights, of being accepted as of equal status with the rest of us. Although they have not suffered under territorial status, they want the right to govern themselves, to select their own Governor and other executive officials, to determine fully their own policies, and to participate with the rest of us in the formation of national policies. They have shown that they are well fitted to exercise those rights, and they have earned the right to exercise them.

Mr. Chairman, I am proud of the opportunity which has been given me to participate in this great event, to cast my vote for this historic action. I am gratified that my vote will be one of those which finally brings to completion a historic process which has already been too long delayed. I welcome Hawaii as a sister State with my own. I welcome her people—of various races and creeds—to equality of rights with myself because the diversity of her racial backgrounds adds variety to our citizenship. I do not think we need apologize for the large percentage of persons of Polynesian and Oriental background who make up Hawaii's population. There is also a large percentage of persons whose ancestry and race go back to the continental United States, and they have succeeded in extending American ideals and culture into the Pacific, and in indoctrinating the orientals and others with our ideals and our outlook.

I look forward to celebrating the final admission of Hawaii as our 50th State before the end of this year. The admission of Hawaii will make our Union complete, and will announce to the world that we practice what we preach.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. CANFIELD].

Mr. CANFIELD. Mr. Chairman, on this day I shall cast my fourth vote for Hawaiian statehood. I supported the statehood bills passed by our body in 1947, 1950, and 1953.

It now appears that the hope expressed by President Eisenhower in his state of the Union message last January will be realized. The President then said:

> May I voice the hope that before my term of office is ended I shall have the opportunity and the great satisfaction of seeing the 50th star in our national flag.

As long as 1,000 years ago, Polynesians from the South Pacific were attracted to the volcanic mountain tops known as the Hawaiian Islands. Over the years traders, adventurers, missionaries, and settlers from the east and west made their homes in Hawaii in the melting-pot tradition so dear to Americans. Nearly 120 years ago the kingdom adopted its first constitution, one modeled along American lines. Since 1900 the Hawaiian Islands have been a strategic territory. Can we ever forget Pearl Harbor? Or the valor of Hawaii's Japanese-Americans on battlefields? The saga of self-sacrifice which the Nisei wrote in Europe and Korea has been matched, perhaps, but not exceeded.

It is abundantly evident that Hawaii has met all the traditional requirements for admission to statehood. Her people have demonstrated an abiding faith in the principles of democracy, and her electorate has made clear its earnest desire for statehood. Hawaiian people and resources alike are recognized to be more than capable of supporting a State government.

I acknowledge that Hawaii would enjoy disproportionate representation in the U.S. Senate. But there is precedent here. The Connecticut compromise, whereby representation in the Senate was to be equal for all States while House representation was to be based on population, was a practical solution to a very real problem. Hawaii's lone voice in the House would be all but muted when competing with, say, the 43 distinguished Representatives from the sovereign State of New York.

I am not among those who are horrified by the prospective transfer of a portion of each State's rightful voting power in the Senate to the State of Hawaii. Perhaps I should be if the people of these United States took more seriously their own voting obligations. Two-fifths of the eligible citizens in this country never bother to vote. And this figure, representing the national ratio, is very high compared to the percentages in some of our States. In one State, in the presidential election of 1956, only 22.1 percent of the potential voters condescended to show up at the polls. I doubt rather seriously that the people of this State would be concerned over any transfer of voting power.

And it is fairly obvious that mere size has never guaranteed greatness. The long roll of distinguished Senators in our history contains, I suggest, as many names from the smaller States as from the larger.

Hawaii is too small? It has more land area than Rhode Island, Delaware, or Connecticut, and more people than Vermont, Wyoming, Delaware, or Neveda. It would make as much sense to say that these States should be abolished.

A frequently mentioned fear is that Hawaii the State would become a Communist outpost. Only last month the

House Interior and Insular Affairs Committee concluded that—

> Statehood will provide a suitable and effective political structure through which the people of Hawaii can and will hasten the destruction of the last vestiges of Communist influence.

Mr. Chairman, by making Alaska our 49th State and now following through with Hawaii our 50th State, bringing to their people the full privileges of citizenship, we are engaging in an act which can only have wholesome repercussions throughout the world, especially in those lands where real freedom is still only a hope far from reality.

Mr. WESTLAND. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. SMITH].

Mr. SMITH of California. Mr. Chairman, it is not my intention to try to convince anybody to vote for or against this particular bill, because in all fairness, in all honesty, I cannot say that I know exactly how to vote on this particular bill. It is a unique situation indeed. For the first time in our history we are now faced with the possibility, and undoubtedly it will pass, of adding some islands and making them a State of the United States of America.

I wish I had a crystal ball so I could look into it and see what would happen a year, 5 years, or 10 years from now if Hawaii is made a State, or what would happen if it is not made a State. I voted against statehood for Alaska. As of now, I do not know whether I was correct in voting against Alaska. Only time will tell, but certainly as time goes on, if we have to subsidize Alaska and give them special benefits that the other States in the United States do not have, then my vote was right. If they go ahead and take their place as the 49th State equal with the other 48 States, then my vote was wrong.

When we talk about H.R. 3, H.R. 10, and such measures as that, I have little difficulty, because I am for those measures; but in this one I find myself in a little bit of confusion. One of the reasons happens to be that I, too, went to Honolulu this year along with the committee, not as a member of the committee but strictly for pleasure. I talked to a lot of people over there and did not find any tremendous desire among the people to become a State. Some thought they should, some thought they should not, some thought they should wait. But I did not find any overwhelming opinion among all the people that they should become the 50th State.

A number of years ago I was a special agent of the FBI and, along with other agents, was selected to conduct a special investigation to determine whether or not Harry Bridges was a member of the Communist Party. Many of us spent several months in determining that fact, and found out that he actually had been a member of the Communist Party. Another agent and myself were the ones who obtained the statement from the individual who took Harry Bridges into the Communist Party and gave him his card and attended meetings with him. Subsequent thereto, hearings were held, as you know, and Bridges was ordered deported. But later changes were made. I well realize as a matter of history, should he go back to his associations with Hall and follow the same principles we know he had some years ago, we may be faced with some problems. I hope he does not do that if we make Hawaii a State.

I rather anticipate this bill will be passed and Hawaii will be made a State. The 86th Congress will probably be long remembered for this action rather than any other action that is taken in this session. So I say that in casting our vote, I hope that I for one will vote so that the people of Hawaii will best be helped and the people of the United States will best be helped in this historic vote here today.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 15 minutes to the gentleman from Texas [Mr. ROGERS].

Mr. ROGERS of Texas. Mr. Chairman, I am not laboring under any delusions. I realize this is nothing more than a delaying action, and I want you to know I am not doing it for the purpose of delaying these proceedings. Of course, we could have objected to the substitution of the Senate bill for the House bill. But, we are doing this for the purpose of making a record on an issue which I think will be called to the attention of the Members of the Congress and to the attention of the people of the United States within the confines of the 48 States—mind you, I did not say 49 States, for a number of years not today. Now, as you know, last year we took in Alaska. I opposed that as did some other members of the Committee on Interior and Insular Affairs. When we convened this time, as we had anticipated, Hawaii was waiting on the line. No hearings were held before the subcommittee. We went right into the full committee and started hearings in order to speed the matter up. Actually, it was because the ice had been broken in a new political era or area—whichever you want to call it—and we moved forward to bring Hawaii in. What will be up next February or next January or the following January no one knows. But, I think in all fairness to the Members of the Congress who are moving forward in that direction, they ought to recognize the fact that we should anticipate that other territories will be coming in in the next few years. Where we are going to stop, I do not know. It must be somewhere.

But, Mr. Chairman, I want to talk to you about just a few of the things that I think are important as we move into this new so-called political area. First, I want to say this. There have been attempts all during the hearings and in the previous discussions and debate on statehood bills to bring personalities into it. I have been in Congress since 1951 and we have had the Hawaiian bill and the Alaskan bill up so many times that I cannot remember the exact number. Much has been said in an effort to bring personalities and inject personalities and hatred into this thing, and I want to make the record clear on that right now that so far as I am concerned and the others with whom I have been associated in opposition to this bill, that we have had no ill feeling toward anyone in Alaska or Hawaii. As a matter of fact, if you will permit me to say it now, I think the Alaskan people probably can claim the right to a pioneer status that is probably unequaled in the history of the world. They are fine people and certainly none of us have anything against them, and I think the Hawaiian people and all the people who make up the citizenry of the Hawaiian Islands so far as I know have been wonderful people. They have never mistreated me and I have looked upon them as fine human beings as I do upon all other people, and I do not think we ought to get this debate off on anything like personalities or hatred or any such thing.

Mrs. BLITCH. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mrs. BLITCH. Would the gentleman be inclined to agree with the gentlewoman from Georgia that the real danger in this legislation is that really we are not sowing the seeds, but rather we are laying the foundation for a philosophy that is entirely foreign to the original concept of these United States—a philosophy that really embodies that concept of one worldism that was promulgated not in recent years, but as we have been told and has been pointed out to us, was advocated by certain individuals as long ago as fifty or sixty or one hundred years. Does that not express the gentleman's objections to this bill?

Mr. ROGERS of Texas. May I say to the gentlewoman, I think if the concept that is being followed in bringing in these Territories and these far-flung lands is carried out to its logical conclusion, I do not see how anyone can successfully argue against a man who accuses us of indulging in one worldism. I think that is exactly right.

Mrs. BLITCH. I thank the gentleman. I wish to state, since he has given me the opportunity to do so, that that is my greatest objection to the granting of statehood to Hawaii.

Mr. ROGERS of Texas. I thank the gentlewoman from Georgia.

Mr. SAYLOR. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I would like to say at this point that it has been my pleasure to serve with the gentleman from Texas on the Interior Committee for as long as he has been in Congress. While he has been an avid opponent of statehood for Hawaii no one who has been a member of that committee or a Member of Congress during that time could ever accuse the gentleman of not being forthright in his position, and there has never been any hatred or enmity motivating him. The only reason he opposes it is because of his philosophy of government. Much as I disagree with him, I can do nothing but respect and admire the gentleman for maintaining his position.

Mr. ROGERS of Texas. I thank the gentleman. I appreciate having served with him. There are so many nice things I can say about him, that my limited time will not permit me to begin. I will tell him personally later on.

I want to speak for a moment on this question of contiguity. Many people, who criticize the opposition which is based on the question of contiguity, will admit they do not know what the word really means when applied to these circumstances; but the matter of contiguity without any question is seriously involved in this thing; it is the serious objection that I think ought to be weighed very carefully by everyone who is interested in doing what is best for this Government. I do not challenge anyone in his sincere belief as to what philosophy of government should be pursued, but I do think that you ought to use history and precedent to reach a conclusion, and know what certain actions might create.

A small committee went to Hawaii last year to report further on this matter. They went into the question of contiguity. As a matter of fact so did the entire committee, and the committee report deals with the question of contiguity, but they base the entire concept of contiguity on the question of travel, how fast and how far, how long it would take to get from New York or Washington to Honolulu. That, however, is not the point at all.

The point is simply this, that we have devoted ourselves, since the Thirteen Original States, to the preservation of the Union, a Union of the States that make up the United States. What did we do? We moved out and took in Alaska, and prior to that there had not been any State attached to the United States, the Union that made up the United States, that was not attached by land over which we had exclusive jurisdiction. When we admitted Alaska into this Union of States we broke that precedent. We not only took in a Territory which was separated from the rest of the States by the high seas over which we have at most joint jurisdiction, or, one might say, sufferance to travel, but also we did this, we placed between us and that Territory in the words of the subcommittee that reported on this, in the case of Alaska, miles and miles of foreign territory, foreign territory, mind you, over which we have no jurisdiction whatever unless we get it by the will of the people of that sovereignty, by treaty, or by Executive agreement. But the fact of the matter is that if Canada, which is a friendly nation and we expect will always continue to be, but if the time should come when this Communist menace of which so much has been said—and I think a great deal of attention should be paid to it—and they should decide to attack the Hawaiian Islands economically and they said, "We will strike your ports," and men like Harry Bridges, Jack Hall—names do not mean anything—issue the edict, "We will strike your ports and we will strike your ports in Alaska, too, we are going to attack you economically."

Well, we say: We will go through Alaska, we have a corridor, we can get there, we do not have to resort to an airlift.

So Canada says, Wait a minute, before you do that let us find out what is going to happen.

This same group of people that has this international union will say to Canada: If you permit the United States to use Canadian soil as a corridor to get to Alaska we will strike your ports, too.

What would be the reaction of Canada under those circumstances? It is something we do not know. I know that Canada would take a long and hard look at permitting this country to use their soil as a corridor in order to break a strike brought about by this international union if those facts were present. I can anticipate just such a situation arising, and it is not something that you have to reach up in the air to get.

This so-called internaticnal union, whether it be that union or some other union dominated by anyone, by one single edict can completely isolate Hawaii because Hawaii is wholly dependent on the sealanes, her economy rests upon what traffic she can maintain via the sea.

Not only that, but each one of those islands is separated by the high seas, the high seas over which we do not have exclusive jurisdiction, we do not claim exclusive jurisdiction, waters over which every other foreign nation in the world has the same identical right to travel as do we.

As I said a minute ago, those people who talk about transportation and travel and nearness by virtue of the fact we have jet planes have missed the entire point. The question is resolved to the issue of preservation of the Union. When you have 1 solid made up of 48 or 49 integral parts, or 50 integral parts represented by a flag that has 50 stars, and somebody comes along, because one of those parts is isolated, and takes one of those parts away from you, which is conceivable from experience in our own history, your solid dissolves. You either have the whole or you have not preserved the Union. I think that is the risk that the people of this country ought to think about when we move into this new political area. That is going to bring problem after problem up for consideration, not only of conflict as we have had between the State laws but it is going to bring about conflict in the application of our maritime laws, the interstate commerce laws and other matters we have never been confronted with before, in addition to conflict of State laws.

The committee asks, because they are separated from this country, does that mean they will never become a State? I have never said that and I do not say it now, but every time you pick up a daily newspaper or periodical you see headlines that this country, our philosophy and our way of government, is now facing the greatest challenge it has ever faced in our history. The question is: "Can we safely embark at this time on uncharted political seas, heretofore untraveled by any country?"

If we admit Hawaii, why should not others be allowed to come in? Yes; they have said in answer to that argument, and I refer to the proponents of this legislation, that is not true at all because you have to meet certain requirements before you are eligible for statehood, and under the situation as it exists Hawaii is the last incorporated Territory, therefore it is a long way before we will have to recognize any other Territory or any other place that might want to make application for statehood.

Now, we asked the question in the hearings as to what the requirements might be for statehood, and here is what we were told. The three standards which are said to be traditional are these: First, that the inhabitants of the new State are imbued with and sympathetic toward the principles of democracy as exemplified in the American form of government. That was the Secretary of the Interior testifying; second, that a majority of the electorate desires statehood; and, third, that the proposed new State has sufficient population and resources to support State government and to provide its share of the cost of the Federal Government.

Now, I asked the Secretary of the Interior at that time if actually the first two measures were not the ones that ought to be applied and the ones that would be applied, unless we were willing to apply a means test and to say to the people, in the language of the proponents, mind you, that if you do not have so much money, then you cannot come in. Now, that is what their arguments amounted to on that. Take Cuba, for instance, which we have been reading about so much lately, suppose they had a plebiscite and voted 4 to 1 to join this country and they adopted a constitution and said that they were firm believers in a democratic form of government and imbued with the ideals of democracy, they could even go so far as to say "We can trade with you and show you we are rich enough to be citizens." Now, what are you going to say to that? How can you say to them that "No, we are not going to take you in." Well, they will say, "You took in the Hawaiian Islands; they were a Territory. Why did you take them in?" "Because we did not want anybody to think we were for colonialism. That is why we took them in, but we do not want you."

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Colorado.

Mr. ASPINALL. Before I ask the question, I wish to state that the gentleman now in the well is one of the most valuable and able members on the Committee on Interior and Insular Affairs. This bill today is better because of the contribution which he has made in opposing certain sections which we have changed in order to meet some of his objections. We do disagree on fundamentals of the bill. The only question that I have to ask at this time of my colleague is this: It will be true as long as the United States of America remains an independent nation that we can, if both parties are willing, add to our jurisdiction new areas, just in the same way as we added the great State of Texas, coming from an independent status, and the great Territory of California from a conquered area, is that not right? That is what the gentleman from Colorado now speaking stated yesterday in his statement to the committee.

Mr. ROGERS of Texas. I think that is exactly right. The gentleman from Colorado, as you all know, is one of the greatest chairmen that the Committee on Interior and Insular Affairs ever had, and one of the most valuable Members of Congress, a man whose integrity has never been questioned. As he pointed out, we disagree basically on the philosophy that is represented by this piece of legislation. Now, back to the contiguity situation for just a minute. Some person says "What difference does it make whether they are attached, in the final analysis?" It makes this difference. Under international law sovereignties are separated by land masses and inland waters. That is the main difference when you get right down to the analysis. Now, if that is changed and we could go on and get exclusive jurisdiction in the Pacific Ocean to the Hawaiian Islands, maybe this problem could be answered. But we better take another look at this thing, and we ought to wait until that time before doing anything.

The CHAIRMAN. The time of the gentleman from Texas [Mr. ROGERS] has again expired.

Mr. WESTLAND. Mr. Chairman, I yield 5 minutes to the gentleman from Texas.

Mr. ROGERS of Texas. I thank the gentleman for his kindness.

Mr. Chairman, it was argued for a long time that unless statehood were granted to Hawaii we would have a situation whereby we would be making second-class citizens out of all the people of Hawaii. Nobody answered that, and it went along that way for a long time and finally someone expressed the thought that if they were second-class citizens out there, maybe the District of Columbia has some second-class citizens. That created a question, and as this thing moved along, they began to drop that—I do not want to say propaganda, but I will say that advertising—they dropped that because they saw that it did not really mean anything. They were not second-class citizens at all. They are just as fine people as there are anywhere, and because of the philosophy of government that we follow, they have many rights that we do not have in this country because they are a Territory, and I suppose we could say vice versa; but these rights are all pretty well balanced. The funny thing about it is that this same group of people at that same time were claiming that they were entitled to statehood because they had been promised statehood by somebody—I do not know who it was. Someone said that it was a gentleman from the other body who had gotten over to Hawaii and promised them statehood. What the circumstances were that brought out that promise I do not know. We were never able to find out.

But let us assume that he did that and let us assume that somebody else did it, and so on, from time to time. And let us assume, as the platforms of both parties reflect, statehood was promised to Hawaii. What they forgot was this, that if such a promise was made, it was made to all of the islands that constituted the Hawaiian Archipelago when it was annexed to the United States.

What have the people of Hawaii done in this situation? According to their own standards they have created some second-class citizens, because they have taken the eight islands that they think might be economically sound to operate as a State, but they cut off the other islands in the Hawaiian Archipelago, I suppose because they thought it was not economically feasible, let us say, for those islands to be included in the operations of a State.

After all is said and done, that just does not make sense, to approach a problem in that manner. And some day, as was pointed out by the distinguished gentleman from Texas [Mr. POAGE], when he appeared before the Committee on Interior, we are going to be called upon to create a State of the Pacific, or a State of something out there, to take in a bunch of loose ends in these islands, if we continue the philosophy that we are pursuing at the present time with respect to taking in these other Territories. Whether or not that will be sound government, I do not know. But, as I said before, I think that what we ought to do is to weigh this situation fairly and squarely from the point of view of the type of government we have and what we are moving into so that in the future we can avoid these embarrassing situations that are bound to arise.

I have just been informed that I have only 1 minute of my time remaining, which is not sufficient time to treat communism properly. But in that minute, if you will bear with me, and I wish you would, I will try to do so.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 1 additional minute to the gentleman from Texas.

Mr. ROGERS of Texas. That will give me just about time, as was said on the floor one time by the distinguished father of one of our colleagues, to wish you all a Merry Christmas and a Happy New Year.

I refer you, and I hope you will read it, to the report that was filed by the distinguished gentleman from New York [Mr. O'BRIEN], the gentleman from California [Mr. SISK], and the gentleman from South Dakota [Mr. BERRY], very distinguished members of our committee, who went over to Hawaii. I think it will be very revealing. That is the report of a committee that went over there, and it actually admits the control that the ILWU has over the economics of the Hawaiian Islands. It is not a matter of debate, it is a matter of complete admission on the part of those people who want Hawaiian statehood worse than any group I have ever seen.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to my distinguished colleague from Mississippi.

Mr. COLMER. I hope the distinguished chairman, the affable gentleman in charge of this bill, will yield some additional time to the gentleman from Texas. After all, there is very little opposition. Very few opponents have spoken against this bill. Before we finally bury the United States of America as such, I think we ought to have some fitting eulogies on it. I hope the gentleman will yield the gentleman from Texas a little time.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Texas.

Mr. ROGERS of Texas. I thank the gentleman from New York.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield to my distinguished colleague from Oklahoma.

Mr. EDMONDSON. I have been listening with great interest to the gentleman's remarks, and particularly would appreciate his directing my attention to the place in the report where it states that the economy of Hawaii is controlled by the ILWU.

Mr. ROGERS of Texas. It is on page 4 of the report, that is, the small report. The gentleman has the wrong report. This is the supplemental report.

Mr. EDMONDSON. Which report is it, now?

Mr. ROGERS of Texas. It is on page 4. This is the supplemental report, Committee Print No. 39. I will be happy to read it to the gentleman. It is very short. It states:

> The economic control of the islands by the ILWU, some leaders of which have been identified in the past as home-grown or mainland-imported Communists, goes without saying.

That is the language of the report, it is not my language. I was reading that.

This was all brought out in connection with what the ILWU could do or could not do in an effort to get this Communist situation out of this picture, because it was a terrible indictment, and it is something that all of us are worried about, and something that we rightfully should be worried about.

I want here and now to say that it is not my purpose to accuse any Hawaiian or anyone else of being a Communist. I do not know whether or not they are Communists. But I think before we move into a situation such as we are moving into right now, that, in my opinion, is going to completely do away with whatever rights the sovereign States have left, and they have been whittled down to where they are not many, we should realize that this trend is going to create a situation where it is not going to be long until you are going to have a completely concentrated Government in Washington or Denver or Chicago or wherever the national capitol might be, and this Communist menace in that sort of situation would be much worse than if we maintain the status quo.

Mr. EDMONDSON. Just to get the record absolutely straight about this report, the gentleman has referred to this as a committee report. I think the document to which the gentleman is referring is a report of a special subcommittee consisting of three men on the committee.

Mr. ROGERS of Texas. Yes.

Mr. EDMONDSON. I know that as a member of the committee I have never subscribed my name to a report which

states that the ILWU controls the Hawaiian Islands.

Mr. ROGERS of Texas. I do not know, but I have the greatest respect for these three fine men that went over there and found this. I was reading their words.

Mr. EDMONDSON. The gentleman does agree, however, that that is not a committee report but rather a special subcommittee's language that he is referring to; is that not correct?

Mr. ROGERS of Texas. Well, I think that would make it more binding because the special subcommittee consisting of three such fine gentlemen could go into this thing and they could dig much deeper into it than the whole committee could because of the time element involved, and they were right there on the ground.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I am happy to yield.

Mr. PILLION. Talking about reports, perhaps, I might call the attention of the Members of the House to this report issued on February 28, 1959, about two weeks ago, by the Hawaiian Commission on Subversive Activities. Here is what that report says on page 11:

> Since 1945 day-to-day ILWU operations in Hawaii have been directed by a regional director and several other paid officials, all selected by the ILWU international organization, not by ILWU members in Hawaii. During that period two-thirds of these officials have been identified as having been Communist Party members.

Now, I might also turn to page 23 of that report and here is what that report said. This is just about two weeks ago, about the UPW that has all been referred to the Legislature of Hawaii. It said:

> The United Public Workers in Hawaii is controlled by the Communist Party through the instrument of Henry Epstein, Stephen Murin, Max Roffman, Jeanette Nakama Rohrbough and other paid employees of the union.
>
> The Communist Party has exploited the UPW and its membership primarily for Communist purposes.
>
> The elected officials of the union and the rank and file cannot or will not recognize that their union is Communist dominated.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. ROGERS of Texas. Mr. Chairman, that 5 minutes went awful fast. Could I ask for just a minute or two more?

Mr. O'BRIEN of New York. If the gentleman from Washington would yield some time, it would be appreciated. We have very little time left.

Mr. WESTLAND. Mr. Chairman, I yield an additional 5 minutes to the gentleman from Texas. Will the gentleman yield to me for just a moment?

Mr. ROGERS of Texas. I am happy to yield to the gentleman from Washington.

Mr. WESTLAND. We are hearing a great deal of talk about the ILWU and the UP—what is it?

Mr. PILLION. The UPW.

Mr. WESTLAND. Yes, the UPW or something like that. We are not talking here about statehood for the ILWU or the UPW because if we are, I am going to change my vote.

Mr. ROGERS of Texas. There. That is the point, and I am glad the gentleman from Washington brought that out because that is one of the fears about this situation when you are voting statehood out there, if these unions have control of this situation from an economic standpoint, then you are voting the powers of statehood into the hands of these people that run the unions. That is the thing we have to look into thoroughly before we move into this new political area.

Mr. UDALL. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. UDALL. All of us on the committee respect not only the sense of humor of the gentleman from Texas but his sense of fair play as well. Is it not likely that the type of officials who will be sent here to Washington and the type of State officials who will be elected will be the same type of people who have been elected in Hawaii in the past? In all likelihood is that not what will happen?

Mr. ROGERS of Texas. That depends on how much pressure can be brought to bear. I can anticipate the situation where those who want to take over economic control and control of State powers would be more than happy to go along with the crowd or lie behind the log so to speak, until those powers may possibly be grabbed and then walk in and grab them. If that is what Jack Hall and Harry Bridges have in mind, which is entirely possible, I think we ought to look into it thoroughly.

Mr. UDALL. The gentleman has served, as I have served, with a Democratic delegate as well as a Republican delegate from the territory and certainly they will elect the same type who are here now.

Mr. ROGERS of Texas. They are wonderful and that is one reason I am opposing this bill—because I think we will lose our good delegate from Hawaii to the other body.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. PILLION. It is not true that the gentlemen who have been sent here to represent Hawaii were sent here with the backing primarily of the ILWU and that when the ILWU withdrew—and that "the" was the Communist dominated ILWU—withdrew its support of Joe Farington, his plurality just went down to nothing and when they transferred their endorsement to his opponent, then the votes and the plurality went on up and that in the past two or three elections, the ILWU had a considerable and a deciding influence on who came to the House of Representatives as a delegate from Hawaii, and will in the future have a deciding influence on who will come to this House as Members of this House and as Members of the United States Senate?

Mr. ROGERS of Texas. I think this, I will say to the gentleman from New York, I think it is a matter that only the future can determine, because I think that if those fellows do have in their minds doing what I said a moment ago of trying to take over the State government through the election of the Governor and Lieutenant Governor—and they can do it that way—that is what I pointed out was the danger of a cabinet-type of government. It is a step moving in the wrong direction if you are going to perpetuate democracy, to take away the right of the people to vote for their local officers.

Mr. GROSS. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from Iowa.

Mr. GROSS. I see on page 47 of the report, article 14 of the constitution and the provision relating to the oath omitted, and there is not recognized, a Supreme Being or Deity in the oath that is prescribed for their officials under the constitution of Hawaii. Can the gentleman tell me why?

Mr. ROGERS of Texas. No, sir, I cannot. I was interested in the bill. If we can defeat the bill, we won't have to worry about the constitution of Hawaii.

Mr. GROSS. I am not a preacher either, but the gentleman well knows that we take an oath of office that recognizes the Supreme Being.

Mr. ROGERS of Texas. Summing up briefly in the last minute at my disposal, one could talk on this bill for several days, but I am not going to be allowed to do that, and I can only close as fast as I can, but this whole thing goes to the proposition of our walking into an entirely new situation, actually on hearsay evidence. The committee that went out to Hawaii came back with statements like this: "We were told certain things." When asked: "Who told you?" we did not get an answer, we never have found out. That is all the information we could get. I do not know whether that ought to be classified or not, but as a lawyer I know that you cannot convict anybody on testimony like that. If we are going to have to rely on hearsay testimony at least we should know who did the talking.

Again, if we are going to go on hearsay testimony I think we ought to give the same weight to hearsay testimony on the other side. I have been told only recently that some of the Reds—in the unions controlling the economy of Hawaii have been to Russia and Moscow attending extensive conferences—and I will be glad to identify the man who told me if requested.

In conclusion, may I say that I am sorry the pleas of myself and others will fall on deaf ears. I sincerely hope that, if this Congress does pass this legislation, we will not be confronted with the tragedies anticipated. But the facts indicate otherwise, and I must oppose statehood for Hawaii.

Mr. WESTLAND. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. HOSMER].

Mr. HOSMER. Mr. Chairman, my colleague the gentleman from California

[Mr. SMITH] a moment ago well expressed the difficulty with which conscientious legislators face the question of the entrance of a new State into our Union.

During the past 6 years we often have had considerable difficulty in considering Alaskan and Hawaiian statehood because we were not given the opportunity to decide upon them individually in accordance with their respective merits, but had to accept them as a package or not at all. If you opposed one you had to oppose both. That was the difficult situation which many others as well as myself faced.

Today I want to record the fact that I now, and have always, supported statehood for Hawaii. I am sure that the majority of this body is like minded. We do have the various doubts expressed, for example, with respect to the contiguity question, the one-world argument and the argument on matters concerning the ILWU and the UPW, as well as the matter of Communist difficulties. But I think those latter difficulties can be at least as well, and possibly better, handled under statehood than under territorial status.

I feel that on careful analysis the arguments with respect to contiguity, one-worldism, and so forth, have failed to challenge the wisdom of making Hawaii a State. For that reason I say, as I did when I previously cast my vote against Alaska, that the real decision we make on admitting a new State is that concerned with whether or not there are sufficient people and whether or not there is a sufficiently broad economy for the Territory involved to support State government and to bear its share of the cost of the U.S. Government. I did not feel this condition existed in connection with Alaska and so stated. When that bill was passed I expressed the hope that I was wrong in my opinion. I feel this condition does exist with respect to Hawaii and that it is fully qualified for statehood. I will so cast my vote today.

Mr. JACKSON. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from California.

Mr. JACKSON. I want to associate myself with the statement made by the gentleman from California. I had some question in my mind with reference to the Alaska matter. That question does not exist with respect to statehood for Hawaii, which I support.

Mr. HOSMER. That statement is particularly significant coming from a colleague who, as an outstanding member of the Committee on Un-American Activities, has been consistently zealous in his insistence that there be not the slightest weakening of our defense against the insidious subversive activities of the international Communist conspiracy.

Mr. JENSEN. Mr. Chairman, will the gentleman yield?

Mr. HOSMER. I yield to the gentleman from Iowa.

Mr. JENSEN. I appreciate the statement the gentleman has made relative to un-American activities which we have heard about as existing in Hawaii. I have been rather undecided as to just how I should vote on this bill, but I have come to the conclusion that we will be in a better position to control any un-American activities that might exist in Hawaii if we make that Territory a State. So I shall cast my vote in favor of statehood for Hawaii.

Mr. HOSMER. I thank the gentleman.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Chairman, I am voting for statehood for Hawaii as I have done since March 1950. Sure, this is setting a pattern for the United States of the world, but I am young enough in spirit to be thrilled by the vision.

This is a day in history. Today by an overwhelming vote this body will place its stamp of approval on legislation bringing an island in the Pacific, far from continental United States, into the sisterhood of American States. I have voted for statehood for Alaska and for Hawaii in every Congress of which I have been a Member.

The Honolulu Star Bulletin of March 17, 1950, March 20, 1950, and March 21, 1950, carried in three installments my remarks in this Chamber in support of the Hawaiian statehood bill in the 81st Congress. Because what I said at that time is as true as it was at the time of those remarks almost a decade ago I am repeating to my colleagues in the 86th Congress a portion of my remarks in the 81st Congress and which the Honolulu Star Bulletin graciously stated "was a fine exposition of the historic action being taken and dealt with statehood in its broadest aspects."

What I then said was that in the admission of Hawaii, far out in the Pacific, we were setting the pattern for what, without intention on our part, might prove in the working out of the destiny of this changing world in the development of the United States of America into the United States of the world. In travel time we are closer today to the most remote lands of the world than the original States of the Union were to Illinois.

Today as I shall vote for statehood for Hawaii I shall be thinking especially of the young men of Japanese blood who went from Hawaii to the battlelines on the western front with the 100th Infantry Battalion and proved by their heroism the intense love for the United States of Hawaiians, including those whose family roots had been in Japan. The 100th Infantry Battalion covered itself with glory, and I am very happy that one of its survivors, Harry Ono, is the husband of Mary Ono, of my congressional staff, and the first Japanese-American congressional secretary in the history of this body.

MAKING OF A NEW PATTERN

Mr. Chairman, I am quoting from my remarks in this Chamber on March 6, 1950:

In the statehood bill for Alaska which we have passed and the statehood bill for Hawaii which I anticipate we will pass, a new pattern is being laid for that association of sovereign States formed at the beginning of the Republic to attain through union highest measure of welfare for the citizen and of security for the Nation.

For the first time we are accepting into the family of sister States those Territories that are outside of continental United States and not contiguous thereto. Where this will end, to what extent conceivably the pattern may be carried in the realization of the dream of our generation of a permanent peace through a world union of States, only the future can tell.

I think it is proper here to place emphasis on the fact that the step we are taking has not been decided upon hastily. It is altogether too important a step to be left for decision alone to the Members of this body. However able and conscientious they may be, nevertheless in common with all humankind their judgment cannot be infallible. What we are doing is merely making effective the decision arrived at by the American people. That is the way democracy functions with us. The question of statehood for an island in the Pacific and for a mainland not contiguous to continental United States, with a long stretch of islands running into the Orient, has been discussed for a long time in every city, hamlet, and crossroads in the country.

My colleagues and I must accept it as the judgment of the American people as a whole—or that substantial majority which under our democratic system controls—that this step should be taken and in a New World, bound much closer by radio transmission of the thoughts of men and aerial transportation of persons and products, the pattern of the Old World of the horse and buggy should be modernized even in the matter of selecting Territories to be taken into the Union as States. I say we must accept this as the judgment of the American people because when the delegates met at the national conventions of the two major political parties, with scarcely a dissenting note, they pledged the support of their respective parties to Alaska-Hawaii statehood. We Democrats and Republicans may differ in our interpretation of how far the majority vote in a closely contested election is to be constructed as a mandate. There can be no question, however, about the validity of the mandate when it emanates from the voters of the two major parties.

BINDING THE WORLD IN PEACE

I respectfully suggest to my colleagues, with no desire to pose as a prophet, that the new pattern we are setting up may prove a more vital factor than we imagine in bringing the world closer together in peace and the common pursuit of human happiness. Many in this Chamber, in their ardent desire to advance the cause of understanding and of permanent peace, have sponsored the World Federation resolution. It at least is worthy of note that what we are now doing, although certainly it is not in the minds of any of us here, may furnish in the future the basis for a United States of America expanded, on the petition of other peoples, into a United States of the World.

I am not advancing this thought with the idea that having moved in the direction of taking in territory far from continental United States we actually may, as the world grows closer and closer together, add to our sisterhood of States territories still farther removed. For one thing there is the difference in languages and in customs, which even if distances were annihilated would still present a formidable barrier. But there is no escaping the import of the departure we are approaching. Considered in connection with the development of the backward areas of the world under point 4 of President Truman's plan—an undertaking the success of which hangs on the removal of trade barriers—it at least should furnish the subject

for intriguing speculation and lively discussion in the way the American people have of thinking and talking things over even when such things are still in the realm of the improbable and the unexpected.

That we are making history today I think there can be no doubt. The CONGRESSIONAL RECORD of these days of the Alaska-Hawaii statehood debates very likely will be consulted by historical researchers long after the last of those participating in these debates has had his hour in the traditional memorial services in this Chamber. For that reason I am putting in the record, with especial emphasis, that the pattern for the future admission of States, when no longer required to be of contiguous territory or a part of continental United States, came to us from the sound judgment of the American people arrived at after long discussion and deliberation and so wholly on a bipartisan level that both major political parties incorporated in their respective platforms expression of that judgment arrived at by the American people.

On the occasion of the *Maine* memorial anniversary, I called attention to the fact, sometimes overlooked, that the explosion in Havana Harbor on February 15, 1898, started the United States of America on the road to world leadership. I ventured the suggestion that future historians would term the period of the Spanish-American War, World War I, and World War II—the half century or so from the destruction of the *Maine* to the bomb of Hiroshima—as the 50-year war that ushered in the golden era of American world influence.

Now that Hawaii is on the threshold of statehood and a new pattern is being adopted in conformance with the unquestioned mandate of the American people, I think my colleagues will be interested in the remarks of Senator Teller in the U.S. Senate on February 16, 1898, the day following the sinking of the *Maine*. I am quoting from the CONGRESSIONAL RECORD of that day:

REMARKS IN CONGRESS IN 1898

"Mr. TELLER. Mr. President, there has been some interest manifested throughout the world over the question whether or not this Government was about to take the Hawaiian Islands and make them part of the United States * * *. The people of all the world have been looking to see what we are about to do. I picked up the other day a copy of the London Globe of last June * * *. The article was commenting on our desire to annex the Hawaiian Islands, if they should become ours: * * * it was very apparent that the Globe was not friendly to that movement on our part. This is what the Globe said, and it is so truthful that I think it may be worthwhile to read it:

" 'The American Navy is absolutely unfit to protect the islands (Hawaiian) which lie at the mercy of any Spanish ships appearing at Honolulu while Japan's sea power is so immeasurably superior to that of the United States that a Japanese naval demonstration would place President McKinley in a difficult and perilous position * * *.

" 'Viewing the great strategic value of the group to England, it is a matter of regret that the islands were not added to the British Empire long ago. Lord Salisbury should stiffen his back and tell McKinley plainly that Great Britain claims the right to be consulted before the matter of annexation is decided.'

"Mr. President, Japan is a small power. Small, I mean, when compared to the United States, small in resources compared with the United States, though it is strong in its navy when you consider the results it might accomplish as a nation. Yet, when there was a note of protest from Japan against the annexation of Hawaii, it was urged by a great many people in this country as a bar to annexation that we were not free to exercise our own judgment because it would not do to get into a quarrel with Japan."

JOINED IN WORLD OF BROTHERHOOD

Mr. Chairman, I am voting for statehood for Hawaii as I voted for statehood for Alaska. With every new State that joins up with us, to share under free government, the benefits and the responsibilities of joint effort in advancing human welfare, greater strength is given us to carry on. My faith is in my country and the purity of its purpose to ask nothing for its own people that it does not seek to make possible for all men to attain in a world of brotherhood. My faith is in the people of the United States and when after discussion and deliberation they have reached a judgment, by that judgment I will abide.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may desire to the gentleman from Montana [Mr. ANDERSON].

Mr. ANDERSON of Montana. Mr. Chariman, I am particularly happy because Montanans have played an important role in this drama of Hawaiian statehood over the years. Montana's distinguished senior Senator, JAMES E. MURRAY, as chairman of the Senate Interior Committee, has worked hard and effectively for Hawaiian statehood for many years. Last night Senator MURRAY enjoyed the unique distinction of being the only legislator ever to have piloted two statehood bills to a successful conclusion. This distinction will probably never be attained by any other legislator, excepting only our own distinguished subcommittee chairman, the gentleman from New York [Mr. O'BRIEN]

Montana's junior Senator, MIKE MANSFIELD, as assistant leader of the Senate, has given freely of his talents and abilities in pushing Senate action to such a prompt and happy conclusion.

The senior Congressman from Montana [Mr. METCALF], for years a member of the House Interior Committee, has lent his brilliant legal talents and his energy and drive to the accomplishment of statehood for Hawaii. As a member of the Interior Committee, I myself have followed carefully the progress of Hawaii toward statehood, and I feel that this is the time to bring this long march to its glorious conclusion.

It may come as a surprise to some of the members of this committee that there is a fifth Montanan even more directly concerned with the current and successful campaign to make Hawaii a State. That fifth Montanan is our beloved colleague, Delegate JACK BURNS. JACK BURNS was born in my district, in Havre, Mont. Delegate BURNS is certainly entitled to major credit for the strategy which has finally broken the deadlock of many years, and leads to the admission of Alaska and Hawaii as the 49th and 50th States of the Union in this year of our Lord nineteen hundred and fifty-nine.

Those who attacked and vilified Delegate BURNS for supporting Alaskan statehood ahead of Hawaiian statehood now stand confounded, convicted themselves of a shortsightedness which, had it prevailed, might well have simply perpetuated the stalemate which dogged both States for so many years.

The resounding note by which we pass this bill will be an exoneration of Delegate BURNS' strategy, and at the same time will demonstrate the love and affection and respect in which we hold our beloved colleague.

Mr. O'BRIEN of New York. Mr. Chairman, I ask unanimous consent that the gentleman from Connecticut [Mr. KOWALSKI] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. KOWALSKI. Mr. Chairman, from 4½ years of experience in Japan and Korea, I feel I know something of the great importance which the people of the Orient attach to the admission of Hawaii to full membership in the United States. No single act by the Congress could give our Nation more prestige among the teeming millions in Asia than the granting of statehood to Hawaii.

The leadership of the new free nations in Asia from Korea around the Pacific Basin even to Ceylon have their eyes on Hawaii and this Congress. They are watching our handling of the Hawaiian statehood issue, not because they have an economic stake in the outcome, but because they have a great emotional involvement in the granting of statehood to our outer bastion in the Pacific.

This emotional involvement is based on questions now unanswered in their minds:

First. Are the non-Caucasian, chiefly oriental peoples of Hawaii, acceptable to this Congress for full and complete citizenship in the United States of America?

Second. Are the Members of this Congress open to the acceptance of men whose forefathers came to our shores from Asia as their colleagues in the great American legislative process?

Third. Are the United States ready to symbolize the noble concept of the equality of men by the admission of Hawaii to statehood, thus giving reality to a term that will otherwise be an empty abstraction where Asians are concerned?

Who are these Asian leaders, what manner of men are they? Our experiences of them, widely reported, confirm that these leaders possess certain common characteristics.

First. They are men of intelligence, well informed on the affairs of the world and keenly aware of the nature and intensity of the relations between the free world and those nations in the Communist orbit.

Second. They are intensely nationalistic and hold a dim view of relationships between peoples that so much as border on colonialism.

Third. They are culture-bound to each other in the vast panoply of the Asian complex.

Fourth. They are akin to and sympathetic to that large segment of the Hawaiian public of oriental ancestry.

To them, the granting of statehood to Hawaii will be a convincing evidence of our acceptance of free men of their own antecedents.

The case for Hawaiian statehood on merit is conclusive. The significance of Hawaiian statehood as it will symbolize freedom and equality to free Asian leadership is even more conclusive.

If we want to demonstrate to Asian leaders in the free world that we mean what we say when we seek their friendship and support in the struggle to keep people free, there can be no more convincing act than to grant statehood to Hawaii now.

Mr. O'BRIEN of New York. Mr. Chairman, I ask unanimous consent that all Members may be permitted to extend their remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from California [Mr. BALDWIN].

Mr. BALDWIN. Mr. Chairman, I rise in support of H.R. 4221, which would provide statehood for Hawaii.

I supported statehood for Alaska last year, and feel that the citizens of Hawaii are equally entitled to statehood. Many of the present residents of the Hawaiian Islands formerly resided in the United States, and particularly in the Pacific Coast States. These residents have had experience in carrying out their responsibilities as voters in their former State governments, and also as voters for President and for Representatives in the House of Representatives and for U.S. Senators.

It is evident to me that the citizens of Hawaii are fully qualified to assume the responsibilities of statehood. In fact, I feel it would be a serious discrimination against them if they were not granted statehood at this time. The citizens of Hawaii are governed by Federal laws. Their taxes are established by the U.S. Congress. Certainly they are entitled to participate in these decisions through electing their chosen representatives to serve in the House of Representatives and in the Senate. Likewise, they should be entitled to participate in the selection of their President. I urge approval of this measure.

Mr. WESTLAND. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. JOHANSEN].

Mr. JOHANSEN. Mr. Chairman, for all practical purposes we are going through motions today. All of us know that there is no question as to the outcome of this issue. For all practical purposes the question of statehood for Hawaii was decided last year when Alaska was made the 49th State.

I voted against statehood for Alaska. I shall vote against statehood for Hawaii.

Among a number of reasons, I shall do so as a matter of consistency. I do not believe that it is a course of wisdom to bestow statehood on a noncontiguous Territory, particularly one 2,000 miles beyond the continental United States.

While our fellow citizens in Hawaii have a testament to their loyalty heroically written in World War II and the Korean war, I am not satisfied that adequate progress has been achieved in Hawaii in coping with the very real fact and threat of Communist infiltration and of domination by Communist leadership in organized labor in that Territory.

I am frank to say that my vote against statehood is cast with some reluctance. I recognize that if it was a mistake to grant Hawaii the status of an incorporated Territory—historically always a prelude to statehood—rather than Commonwealth status, that mistake was made 59 years ago. I suppose that there are some sort of practical statutes of limitations so far as trying to remake history or undo past mistakes are concerned.

My greatest concern in opposing statehood is the possibility that we might undercut the efforts of our fellow citizens in Hawaii in combating communism. I am deeply impressed by the arguments on this score advanced by the distinguished chairman of the House Committee on Un-American Activities [Mr. WALTER], a committee on which I am privileged to serve. I am likewise impressed by the statement in the same vein offered by the distinguished former ranking minority member of that committee, former Congressman Kearney, of New York.

But I note that the gentleman from Pennsylvania [Mr. WALTER], with characteristic frankness and modesty, seemed to acknowledge in his testimony before the Committee on Interior and Insular Affairs that it is a matter of hope and faith rather than demonstrable proof that statehood will improve conditions in Hawaii so far as the Communist problem is concerned.

I earnestly hope and pray that this will prove to be the case. I hope that statehood for Hawaii can never become a device of the evil forces of communism for the injury of the United States, the State of Hawaii, or its loyal citizens. I pledge that, as long as I am privileged to be a Member of Congress, I will work in every way within my power to support our fellow citizens in Hawaii, as elsewhere in these United States, in their fight against internal subversion and betrayal by the enemies of our country.

So much then for the issue of Hawaiian statehood and the reasons for my stand on this issue.

Now, Mr. Chairman, I wish to address myself briefly to a bitter irony and an intolerable paradox which confronts the people and the Congress of the United States at the very moment we take the historic step with respect to statehood for Hawaii.

The simple and shocking truth is that statehood today means less than it has ever meant in the history of our Republic.

In my judgment, the simple and shocking truth is that a great deal more of statehood was conferred upon the first State admitted to the Union, after the Original Thirteen, than we are conferring in this year 1959 upon the new State of Hawaii.

In my judgment, we would be much more realistic, and we would be addressing ourselves to a far more timely issue, if we were concerned with the problem of restoring statehood to the 49 so-called States of the Union—soon to become 50. I am sure that my colleagues do not need to have my meaning spelled out in great detail.

By action and inaction on a dozen fronts, the status and role of the sovereign States in our Federal system of government is being obscured, weakened, and destroyed.

Not so long ago, a U.S. district judge—he does not happen to sit in my own State of Michigan—acknowledged to me that the practical meaning and import of the 10th amendment and of the reserve powers of the States is, at best, obscure and, at worst, no longer capable of definition.

We have among supposedly responsible leaders of our Nation, including Members of Congress, open advocacy of the federalization and centralization of the tax-levying and revenue-dispensing functions of government, necessarily at the expense and sacrifice of State prerogatives and responsibilities in this field.

We have numerous excursions of the Federal Government, both by legislative and judicial act, into areas of responsibility and authority historically and constitutionally belonging to the States.

We have the judicial decree of the doctrine of Federal pre-emption, a situation which the Congress has thus far failed to set right.

And here is the supreme irony: The very statehood which we are now bestowing upon Hawaii, the very statehood which the citizens of that Territory so deeply covet, as matters now stand, involves impairment of the powers and efforts of Hawaii to cope with its own direst problems as a State.

For example: It is extremely doubtful whether, under existing decisions of the U.S. Supreme Court, the provision against office holding or employment in the State government by a person "who advocates, or who aids or belongs to any party, organization, or association which advocates the overthrow by force or violence of the Government of this State or of the United States" will have any validity or effect.

Under existing decisions of the U.S. Supreme Court, it is questionable whether Hawaiian efforts to investigate and expose Communist activity will have—or even now has—any legal validity.

I earnestly suggest that it would be much more in order and much more timely for the Congress of the United States to be devoting its time and efforts to the repair of the status of statehood rather than to the bestowal of a statehood, which in the words of one eminent authority, has become or threatens to become a hollow shell.

Certainly once this business of statehood for Hawaii is disposed of, I earnestly hope that the Congress will direct its attention to this far broader and more fundamental problem.

And since I am discussing the impaired status and standing of statehood, I must direct my attention for a moment to testimony given by the distinguished gentleman from Texas [Mr. POAGE], when he appeared before the Committee on Interior and Insular Affairs during the hearings on statehood for Hawaii.

What I have to say about this testimony of the gentleman from Texas is said with all respect and, I think, with some understanding of the provocation under which he spoke.

I have long believed that we could not continue indefinitely the negating and nullifying of the 10th amendment and the reserved powers of the States without ultimately precipitating the sentiments voiced by the gentleman from Texas.

In his testimony on January 28 of this year, the gentleman from Texas, obviously referring to the fact that the Confederacy lost the war fought between the States on the issue of secession, said this:

> We always believed, and still believe, if anyone wants out, let them get out and go on their own.
>
> I would gladly say to anybody, in or out of the continental United States, "Go your own way, if you do not like the Union you are in."

Needless to say, these are words that distress and alarm me. I am sure that there is no serious proposal to revive the issue of secession. I do not believe these words were intended to suggest, in connection with the granting of statehood to Hawaii, that there is a future right to demit membership in the Federal Union.

Yet it is profoundly disturbing to have these words spoken in any circumstance and doubly so to have them spoken in conjunction with the consideration of the creation of a new State. It strikes me as being as incongruous as the insertion in the marriage service of a declaration of the right of divorce.

As Members of Congress and as American citizens, we have every right in advance of the decision to differ on the question of statehood for any new Territory, but once that decision is made, there must be a full understanding that the new State becomes a permanent member of an indissoluble Union.

To me the real import of the words spoken by the gentleman from Texas is that here is one more solemn and somber warning that we must address ourselves to repairing the status of the States and restoring them to their rightful place in our scheme of government.

One final word: I have no wish to prejudge the caliber or the political philosophy of those who will take their place in this House and in the other body as the duly elected representatives of the State of Hawaii.

I would be less than frank, however, if I did not admit to a fear that the prevailing political ideology of a majority of the citizens of Hawaii may be such as to add new membership in the Congress schooled in a philosophy, or responsive to the pressures of organizations and philosophies, which would weaken, if not destroy, the meaningfulness of the very statehood we are about to bestow.

I am frank to say that this is the most compelling reason for my vote against statehood. I earnestly hope and pray that I shall be proven completely wrong.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 15 minutes to the gentleman from Georgia [Mr. DAVIS].

Mr. DAVIS of Georgia. Mr. Chairman, I should like to compliment the distinguished gentleman who has just left the well on the splendid presentation he has made. I refer to the gentleman from Michigan [Mr. JOHANSEN]. I should like to associate myself with his remarks on this subject, and also associate myself with the remarks of the distinguished gentleman from Texas [Mr. ROGERS], who spoke just a short time ago.

I think on a subject as grave as this under discussion today the people of the United States should have an opportunity to vote on whether or not the new State should be admitted. In the last Congress I introduced an amendment to our Constitution to provide that any State hereafter to be admitted must be voted upon by the States already in the Union. I think this method now in vogue, now legal under our Constitution, of having a new State voted in by a mere majority vote of the membership of the two Houses of Congress, does not approach it with the seriousness the question really deserves.

During the debate here this morning in discussing the very serious question of communism involved in this legislation, the question was raised as to the activities of this notorious Harry Bridges within recent months. I have investigated that to a considerable extent myself.

The information I have obtained is that this Harry Bridges who, on at least two occasions that I know of, has been the losing party in litigation in lower courts on such matters as deportation and perjury, but who has always been successful in having his convictions and the decisions in the lower courts set aside when he comes up here to the Supreme Court. This man, with an assistant named William Glaser, left this country on January 21 and went to Rome, where he was met by Italian Communists. He was taken to the CGIL, which is the general confederation of Italian labor, the Communist labor federation which has stirred riots against the United States in Italy. It constitutes a part of the underground of the Italian Communist Party. He engaged there in considerable negotiation with the Communists of that country. He appeared later in Prague, Czechoslovakia, which is the munitions capital of the Iron Curtain countries, on February 7.

There in Prague, he said he would come back to the United States to explain the views of the Iron Curtain countries and he said further that we get nonsensical propaganda from our press and radio about the Soviet Union and the Iron Curtain countries in the United States.

I understand he was a guest of the Union of Workers of Transport and Tele-Communications, which I am also advised is a Communist union. I am further advised he arrived in Moscow on February 8 of this year and that in an interview there, he declared and I quote what is said to be his language:

> That unions in the U.S.S.R. are more democratic than many of the unions in the United States.

He said also that the system of elections in the U.S.S.R. is more democratic than many American ones.

He further is quoted as saying he wants United States workers to visit Russia because everything United States workers have heard about the U.S.S.R. is nothing but slanderous propaganda.

I am advised also that he arrived back in this country on February 24 and that he is to appear under subpena before the House Committee on Un-American Activities on March 24 of this year.

The question of the population in Hawaii, I think, is a very serious one. The population is predominantly Asiatic. That is something which I do not know how many of us here in America realize.

Mr. Chairman, in the revision of my remarks, because I will not take the time to do it here, I will insert the figures as to the number of Japanese, Caucasians, Filipinos, and mixed bloods and Chinese, and Hawaiian who were in the Hawaiian Islands on the basis of the 1950 census.

The official 1950 census figures show that Asiatics and nonwhites account for more than 70 percent of the islands' population. Less than 25 percent of the people are white and fewer than 5 percent are Hawaiian, that is, descendants of the original natives or Polynesian stock. Here is the breakdown from the 1950 census:

Japanese	184,611
White Americans	114,793
Filipino	61,071
Mixed bloods	66,806
Chinese	32,376
Miscellaneous nonwhites (Negro, Puerto Ricans, etc.)	20,852
Hawaiian	19,285

(Mixed bloods and Hawaiians are estimated on the basis of the 1940 census, as the 1950 census combines Hawaiian and part-Hawaiian into one category.)

With a population so radically different from the rest of the United States, this Territory cannot possibly qualify as one of the United States. Its background is radically different from ours. Its history is very different from our own and that of our forefathers. The 65 percent nonwhite influx has been almost exclusively a labor force imported from other Asian countries to work the pineapple and sugar plantations of the few white immigrants. In any case, it is quite clear that the historical and ethnic backgrounds of Hawaii and the United States and even between the various Hawaiian peoples are radically different from each other. The language and the dialects are also different. There are really no shared experiences that extend substantially into the past among its people. Hawaii is essentially rootless. Its closest link with the mainland was during World War II when it served as a base for operations of our Armed Forces. Now that is no reflection on the nonwhite population, but the cross currents of racial feeling do create political and administrative whirlpools too dangerous to yet be allowed the authoritative voice in the American Government that goes with full statehood. Furthermore, I have in my files a breakdown of the nationalities of candidates who were elected in Hawaii in the general election in November 1954. This breakdown and report was compiled by an election inspector in Honolulu who stated that a check through the ballots disclosed that the Japanese in that country do engage in block voting.

This breakdown of the election results in the 1954 general election shows that of the 15 members of the Hawaiian Senate, 7 are of Japanese ancestry; and of the 30 members in the Hawaiian House of Representatives, 15 are of Japanese ancestry. I would say that the results of the election clearly confirm the statement of the election inspector that the Japanese do engage in block voting. The Japanese people certainly constitute the largest nationality group in Hawaii. It is contrary to our traditions in this country, and I think that in any country where democratic principles are adhered to it is contrary to such principles to engage in block voting.

The point of noncontiguity has been referred to many times in this debate. It comes into both the area of national defense and that of economic self-sufficiency.

World history shows that the growth of the most dangerous enemy of the free world today—Soviet Russia and its satellites—has been based on expansion only on her perimeter for the last 700 years. Soviet Russia has never included territory that could not be reached by direct land route. Her lines of communication for war or peace have been interior lines of communication and supply. The great powers of the past which depended upon oversea communication between areas of empire have steadily receded through the centuries. Spain's dual hemisphere power crumbled. The flight from colonialism has taken its toll from Great Britain, France, Italy, the Netherlands—most of that toll being in direct chronological parallel with the growth of Soviet and Communist power.

There is great doubt in the minds of many of us in Congress that the present war-threatened age is the time to abandon our historical position of contiguous territory in favor of a similar geographical alinement to that which has proved disastrous to all nations which have tried it in the past.

There is also the question of territorial waters. The distances between the eight major islands included in the statehood bill range anywhere from 15 miles to 121 miles. Each of these little islands is separated from the other by international waters, under our 3-mile offshore limit. This means that to get from one part of the State to another, one would have to cross the high seas and could run into foreign shipping. This also means that the enemy could sail in and out of the area of one of our States without our being able to do anything about it. It would be difficult to think of a more untenable or dangerous position to be in.

The point of producing unbalanced representation in the Congress certainly applies to Hawaii.

Four States of our Union—Delaware, Nevada, Vermont, and Wyoming—have smaller populations than Hawaii. This fact is sometimes used by proponents of statehood as an argument for granting statehood to Hawaii as a matter of course. The cases are different, however. Delaware was one of the Original Colonies signing the Declaration of Independence, with ratification of the Constitution in 1787. Vermont has been a State since 1791, Nevada since 1864, and Wyoming since 1890. None is affected by the threat of Communist infiltration, non-Caucasian majorities of population, or noncontiguity to the degree of the present candidate for statehood. Certainly their acceptance in the Union for periods ranging from 69 years, in the case of Wyoming, to 172 years in the case of Delaware, overrides any question of present population in determining their right to their representation in Congress.

All of the Colonies and Territories admitted to statehood have been located on the North American Continent. Each Territory before admission adjoined either a State or a Territory and when admitted became a part of the unbroken contiguity area which makes up our country.

To avoid the evils of a multitudinous, unwieldy House of Representatives, the membership was fixed at 435 in the year 1911. It has remained at that figure since. The 1929 Apportionment Act made the reapportionment of House seats for each State automatic, with a permanent limitation of 435 seats.

Statehood will entitle not only the 49th State of Alaska but Hawaii also, if it is admitted, to either 2 or 3 seats, depending on which number is finally decided upon. These seats will displace those presently held by some Representatives in this House. The average increase of our population, according to the U.S. census estimate, is 13 percent between 1950 and 1957. The loss of membership in the House of Representatives will necessarily be borne by those States that have failed to keep pace with the 13 percent average increase in population.

A listing of these candidates for loss of representation discloses a list of some of the most distinguished and history-laden States in our Union. At least these States would be affected: West Virginia, Mississippi, and Arkansas.

In any case, the vote of the individual American would be diluted by the admission of Hawaii. If we vote to admit Hawaii, we would be voting in effect to reduce our representation.

Now, Hawaii is not a part of America—either North or South. If Hawaii were to be admitted as a State, the term "United States of America" would be a misnomer. It would become the United States of America and the Pacific. We could no longer write, talk, or say "the good old U.S.A." We would have to refer to it as the "good U.S.A.P.," from that time on.

In the Hawaiian Statehood Commission booklet, there are such phrases as "its rightful place as a State of the Union," its "inherent right to statehood," the "demand for statehood," and many others.

I do not concede that any State which was ever admitted had any "inherent right" to such admission. They were admitted because they wanted to come in and because our Government was willing to let them in. There was no question of "inherent right" involved. There is no such right involved in this instance. There is no such thing as a right to statehood; there is only the privilege of statehood.

Last, but by no means least, of the objections to Hawaiian statehood is the fact that not all the islands in the Hawaiian chain or Archipelago have been included in the statehood bill, H.R. 4221. This is a glaring inconsistency.

It palpably demonstrates the fact that what are generally known as the Hawaiian Islands are so far flung and disconnected that they could not possibly make up a proper State as we have understood the term. H.R. 4221 specifically excludes from the chain of nine major islands the island of Palmyra. Yet, the Territory of Hawaii includes Palmyra as one of its nine major islands. Why is Palmyra "together with its appurtenant reefs and territorial waters" left out?

Because, the office of the Hawaiian Delegate informs us, it is too far away from the nearest major island, Kauai, which is about 950 miles away.

Also, I am informed, because it is owned by only one family.

To take each point at a time, if distance is to be a criterion for disqualification, would not the entire Hawaiian chain, which is some 2,500 miles from the nearest point on the U.S. mainland, be unqualified for inclusion in the family of States? This is clearly an a fortiori case.

If Palmyra—which is 950 miles from the rest of Hawaii—is too far to be included as part of the new State, then the Hawaiian Islands as a whole—which are 2,500 miles from the U.S. coast—are too far to become a part of our country.

Besides the remote distance, there is also the matter of small population. Included in the group of eight major islands proposed for statehood are two islands, Kahoolawe and Niihau, which between them, have a population reaching the grand total of 75. The thriving metropolis of Kahoolawe—or whichever way it is pronounced—has no known population at all. According to the Delegate's office "only goats" live there. The size of the island, or atoll, or whatever one would call this thing that protrudes out of the water, is exactly 45 square miles.

The island of Niihau, which is included, is 72 square miles small and has a population of from 50 to 75—people, that is, not goats this time. All these people are members of the household of one, Mr. Robinson, a planter and sole owner of the island.

If the second reason for excluding Palmyra from statehood was the fact that it is owned by one family, the same argument could be raised for excluding Niihau also, for it, too, belongs to only one family.

The height of inconsistency and the double standard has been reached in this matter.

I fear that, really, the main argument for statehood of the proponents is a sentimental one and one which should have no place in serious consideration. They probably feel that because Alaska

was granted statehood last year, it would be only fair to extend the same privilege to our other great Territory. If that argument were accepted, just think of the possibilities.

What about Puerto Rico, for example? And the Virgin and Samoan Islands? The Panama Canal Zone? Wake, Midway, and Guam? Johnston and Sand Islands? Canton and Enderbury Islands? The Carolines, Marianas, and Marshall Islands? What of Okinawa? And how about little Kingman Reef?

The possibilities of such a fallacious argument stagger the imagination.

As to Alaska, many Members opposed its admission to statehood last year and before then. Some of the grounds for opposition to Alaska were similar to those against Hawaii, although the case against statehood for Hawaii, I believe, is much stronger.

We were not successful in regard to Alaska. But not for that reason will we give up the effort to prevent yet another mistake from being made. Two wrongs do not make a right, as the old adage so wisely said. They only constitute two wrongs. Let us not compound our first error with another error such a short time later. Let us rather try to make amends for the error by rejecting the proposal to admit Hawaii into the Union.

To those who keep arguing that it is important to look over our shoulder at what foreigners might think about our internal actions, I say that by not incorporating Hawaii into the Union of States we would be showing the world that we are not an imperialistic nation. In effect, we would be saying that people abroad need have no fear about being engulfed by mighty Uncle Sam. We respect even the Territorial status of our good friends the Hawaiians.

Mr. WESTLAND. Mr. Chairman, I yield such time as she may desire to the gentlewoman from Massachusetts [Mrs. ROGERS].

Mrs. ROGERS of Massachusetts. Mr. Chairman, I want to congratulate first of all the majority and minority members of the committee for presenting the case of statehood for Hawaii so ably. I am delighted to vote again for statehood, for Hawaii, as I always have. I am very sure when Hawaii becomes a State she will be loyal to the United States, her foster mother. She has always been extremely loyal to us, and her sons have fought in great numbers to preserve their freedom and ours. Many gave their lives for us and many have gotten terribly sick and wounded for us. I wish for Hawaii and her people great happiness and great success always. She will be a great addition to our United States.

I remind the House that New England missionaries played a very important part in the development of Hawaii. Hawaii is one of the garden spots of the world, and I have many friends there.

Mr. ASPINALL. Mr. Chairman, I yield 10 minutes to the distinguished gentleman from Pennsylvania [Mr. WALTER].

Mr. WALTER. Mr. Chairman, the sole question, as I see it, with respect to the charges made about communism in Hawaii is how to best deal with the situation.

It so happens that the Committee on Un-American Activities, of which I am for the moment chairman, conducted rather extensive inquiries into this question several years ago. The hearings took upward of 2 weeks, following nearly 3 months of intensive investigation by a competent staff of investigators.

There is no question but that Communist unions have a very strong hold on the economy of Hawaii. There is no question but that the Bridges union, under the control of Jack Hall, exercises influence far beyond the usual and normal influence and legitimate activities of labor leaders. In politics their pressures have been felt. And, in that connection let me say to you that it has not only been the Democrats that this group has endorsed. We have in our files complete and irrefutable evidence of the exercise of influence on behalf of members of the other party. But, my friends, again here are we going to wash our hands of this situation? Are we going to say to the good people in Hawaii, of which there are no better people anywhere on the mainland, "We are not going to permit you to become a part of this great family of States because in your midst are those who are members of organizations that are dedicated to the overthrow of the Government of the United States?"

Now, in answering that question let me call your attention to something very, very significant and very serious. Not too long ago the base of our naval activities in the Pacific was moved from Japan to Hawaii. Now, that means that this is our extreme western bastion of defense. Are we going to permit a left-wing, Communist-dominated labor union to cripple the activities of our fleet, or are we going to take a chance that the people in Hawaii, awakening to their new responsibilities as citizens, will attempt to do something about this intolerable situation? I say to you that this situation is not going to improve so long as Hawaii does not have a chance to demonstrate that it is proud of the fact that it is a voting member of this beloved Republic of ours. Given that chance, I am certain that the hold that Mr. Hall and his associates have on the Hawaiian economy will be broken for all time to come. During the course of the time I spent in Hawaii—and unlike many people, in a few weeks' time I did not learn all about the economy of Hawaii, but I did learn much—I associated with people in all walks of life. I met the leaders in every strata of society, and I am thoroughly convinced that the patriotism of these people, as demonstrated by the 442d Combat Battalion, is not exceeded anywhere in these United States. And, I ask you, as a security move, to enact this legislation to the end that these people will throw off the yoke of those who are so strong and so powerful.

In that connection I would like to call your attention to the fact that just recently the employers in Hawaii were forced to sit down and bargain across the table with a man who was under sentence of 5 years in the penitentiary because of his advocacy and his connection with the movement that advocates the overthrow of the Government of the United States. It is inconceivable to me that those people, who were forced into that position, will not take the kind of strong, positive and drastic action necessary to place in positions of authority those people who do not subscribe to this foreign ideology. It is indeed unfortunate that the Supreme Court saw fit to so interpret the Smith Act as to permit these people, who had been properly convicted, to escape going to the penitentiary. But it seems to me that if this bill is adopted, and I am sure it will be, we will find a completely different attitude on the part of the people in Hawaii and a complete change in the entire structure of the labor movement in Hawaii.

Mr. O'BRIEN of New York. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman from New York.

Mr. O'BRIEN of New York. Mr. Chairman, first I should like to commend the distinguished gentleman, the Chairman of the House Committee on Un-American Activities, for a very factual statement. I think he came to about the same conclusions that our small committee, which went there last fall, arrived at. Our report has been criticized by some, but in our report we faced up, as the distinguished gentleman from Pennsylvania has faced up, to the fact that there is communism in Hawaii is something that is to be deplored; and it is too extensive. But we also looked, as did the gentleman, at the other side of the coin, and we saw what the people there wanted to do and were trying to do about it.

May I ask the gentleman if it is not true that the people who were convicted as Communists, as advocates of the violent overthrow of our Government, were tried and convicted by the people of Hawaii, and their going free was the result of an action over which they had no control?

Mr. WALTER. Oh, yes; there is no question about that. The jury was selected in Hawaii, an all-Hawaiian jury, which found those people guilty; that is correct.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. WALTER. I yield to the gentleman.

Mr. PILLION. Is it not true that the frightening increase of communism and its influences throughout the world, in Africa, in Hawaii, in Asia, is not dependent upon the form of government in any of these areas; that, no matter what the form of government may be, communism continues its advances in South America, in Cuba, in all these places; and the mere fact that statehood would give Hawaii two Representatives and two Senators and an elected Governor would not in any particular way be a cause for the lessening of Communist influences in Hawaii?

Mr. WALTER. I shall try to answer the gentleman's numerous questions by

saying that it is true that the form of government makes no difference. But if given the feeling of belonging, if given the feeling of being a part of this great sisterhood of States, I am sure they will do more than is being done now. Now nothing is being done.

The CHAIRMAN. The time of the gentleman from Pennsylvania [Mr. WALTER] has expired.

Mr. WESTLAND. Mr. Chairman, I yield 10 minutes to the gentleman from Minnesota [Mr. JUDD].

Mr. JUDD. Mr. Chairman, during this historic debate there is only one regret I have had, and that is that the Honorable Joseph Farrington, my dear friend, who was Delegate to this Congress from the Territory of Hawaii for many years, is not here today to see the culmination of that for which he worked so long and intelligently and valiantly, as did his wife, Betty, following him as Delegate, and as has the present Delegate from Hawaii, Mr. BURNS. Actually, Joe Farrington burnt himself out and hastened his own death by the dedicated zeal with which he worked for this cause. He did it not only as something desired by his constituents but as of the greatest importance in that crucial part of the world from the standpoint of the total well-being of the United States.

Mr. Chairman, as my speech today I should like to read, if I may, an extemporaneous statement I made before the House Committee on Public Lands when the first statehood for Hawaii bill, and I was one of those privileged to introduce it, came up for hearing on March 10, 1947. I do not know anything that is substantially different now from the situation existing then, except that the urgency it is, is even more acute now than it was then; and the need is more visible to more people.

The original statement begins on page 85 of the published committee hearings on statehood for Hawaii, 1947.

No one can be blind to the fact that there is a life death struggle going on in the world today between the only two basic forms of government there have ever been. One form is essentially dictatorship, government from the top down. And nobody can deny that that form of government once more is making tremendous strides in the world, encroaching steadily on the other form which is basically democratic and can perhaps best be described by the word "federation"; federation of classes or of blocs or of races or of people or States. Either the democracy principle will extend and grow and expand; or the dictatorship principle will grow and extend and expand. At this particular juncture in the world's history—this was 1947—when we witness this struggle all about us, I can think of few things more important than for the United States to demonstrate by action which way it really believes in.

This bill affords us an opportunity to recognize in Hawaii one of the most distinguished achievements of American democracy as contrasted with the other type of government. Nowhere else in the world, including our own 48 States on the mainland, has there been a more successful demonstration than in the Hawaiian Islands of the ability of people of different races and national origins and tongues and cultural and social and intellectual background to work together in mutual respect and teamwork for the good of all, as the true way to promote the good of each.

It is no longer just an experiment for us to argue about. It is an accomplished fact.

Granting statehood to the people of Hawaii at this time will be more than just fulfillment of their aspirations as citizens of the United States. It will focus attention throughout the whole vast Pacific Basin on the capacity of our form of government to inspire the loyalty and the cooperation of people of many racial and national origins. I am sure that such an example will have an immeasurable value in strengthening our relations with every people of the Pacific Ocean area.

Hawaii's heritage has been very fortunate for the development of an enlightened democracy. Its aboriginal race, the Hawaiians, whose character and culture have left a marked influence on the modern community, were a friendly, tolerant, intelligent, and gracious people.

The early missionaries from New England, and if I may pause to interject a personal note, having been a medical missionary myself for 10 years in China, I have always been interested in the fact that the first doctor to the Sandwich Islands, as they were called then, was a distant relative of mine, Dr. Garrett Parmalee Judd, who went out in 1828, as I recall, under the mission board which I was privileged to serve later. He was the first to serve the people of these islands as a physician.

There were four other families, the Cooks, the Castles, the Bishops, and one other family—you see their names on the stores, the banks, the streets and parks all over Hawaii today. The five families went out from New England in a sailing vessel around Cape Horn, a 6 or 7 months' journey to the Sandwich Islands. The families now have descendants all through the islands.

The early missionaries from New England brought with them a strong faith in public education, in the worth of the individual human being, and in the strictest political democracy.

The plantation owners, also, who carried on a strong missionary tradition, were on the whole zealous in the promotion of public health and education without discrimination among the workers of many racial backgrounds who came to the islands. Consequently, Hawaii's standards of rural health and rural education are an example to the whole country.

The high moral and physical standards which have resulted from these influences are the foundation of Hawaii's success as a democratic American community.

It is fortunate that this is the case, because, from a mainland point of view, we must place a stronger national reliance upon the people of Hawaii. Their position is one of key importance in the Pacific world. They are on the life lines of trade and cultural intercourse between all peoples of the area, and the diversity of their own racial background gives them an intense and broad interest in Pacific affairs. Can anyone doubt that representatives in Congress from this thoroughly American mid-Pacific State will broaden our horizons, enrich our congressional debates, and contribute in many ways to the national welfare?

No Americans are more alert to our problems of national defense than those who live on our frontiers, especially those in Hawaii who, in 1941, suffered the severest enemy attack ever inflicted on American territory and were compelled for many months to toil unceasingly and unwaveringly in their own and the Nation's defense.

I am sure, therefore, that one of the advantages which we as a united Nation will derive from having the State of Hawaii fully represented in Washington will be an increasing alertness to all problems of national security in that part of the world and an added ability to meet those problems effectively. A loyal island people, firmly united with the rest of the American people, will have a high strategic value for the entire Nation.

Above all, I am convinced that our national policies will be judged in no small measure by the decisions we make with respect to the people of Hawaii, and other island peoples of the Pacific. We should continue to demonstrate the reality of our belief that every people should have a government of its own choosing. It will be a great advantage to the United States to have one of our great States in the mid-Pacific as a conspicuous example of our American way of life.

In summary, I believe statehood should be granted to the people of Hawaii, first, for security reasons.

There is bound to be uncertainty and instability in the Pacific for years. Forces are at work there which have destroyed the old patterns and nobody can predict with certainty what the new pattern is to be.

It seems to me incontrovertible that our situation would be far better, and that Hawaii would be a much firmer bastion of American security as a full State than it would as a Territory of restless, unhappy half-citizens.

Under their present status, they have to make the same contribution to the national welfare as other citizens but without the same rewards, the same standing as citizens on the mainland.

The question of physical separation from the mainland seems to me inconsequential because, of course, Hawaii today is so very much nearer the rest of the Nation than our Western States were when they were admitted to statehood.

The second reason is commercial considerations. The undeveloped areas of the world are largely in Asia. I am willing to hazard the prediction that eventually historians will agree that World War II all along was a war more than anything else to determine who is going to control the development of Asia and the other undeveloped areas of the world.

There are three areas of great undeveloped natural resources: Africa, South America, and Asia, but only one has also vast human resources. Africa and South America do not have comparable populations.

Asia has half the population of the world. Hitler understood its importance. Certainly the Russians have demonstrated for 25 years that they understand its importance. The British, the Dutch, the French understand it. The Japanese understood it. That is why they fought so long and hard to get control of the manpower and the resources and the potential markets in China.

Only we Americans, with Asia right in our front door, so to speak, seem seldom to sense the importance to our future of who is to control or what ideas are to dominate in the development of Asia. So, for security reasons and for commercial reasons, we need every possible advantage in the gigantic struggle ahead. Making Hawaii a State would give us a very great advantage.

The third basic reason is the moral consideration. How can we, with any decency or hope of success, talk about people having the right to governments of their own choosing, for example in Eastern Europe, unless we show by our deeds that we believe in it in the Pacific as well.

And the fourth reason I would call ideological considerations, which to my mind are really synonymous with our ultimate security.

Actually our own survival is at stake. Democracy is under attack today. The belief that free man is capable of self-government for sustained periods is under systematic organized assault in the world as it has not been since the American and the French Revolutions succeeded. And democracy is losing ground. We can see it on every hand.

The people of Asia, up until the middle 1920's or a little later, were definitely moving in the direction of greater freedom and self-government and the democratic pattern. Now they are uncertain. Some are wondering whether they might not have been better off to adopt the racial pattern, which is what Japan tried to force on them—Asia for the Asiatics. Some believe there is no hope for decent treatment from white men; that when white men get in a jam, they will promise everything to get help until they get out of their difficulty—but then they forget their promises.

Some are wondering whether they should not adopt totalitarianism of the Communist pattern. That is the one making the greatest advance both in Europe and in Asia and, in my judgment, we cannot successfully combat totalitarianism of the Communist pattern just by calling it names and fighting it defensively.

We have to overcome evil with good. We have to have a better policy, and then we have to do a better job of selling it to the people of the world.

In most parts of the world today the trend is from the status of citizen to the status of subject. We have to reverse that trend and widen the areas where the direction is from subject to citizen.

Hawaii is almost the only place I find right now where we have a chance to give new life to our fundamental faith and beliefs.

I repeat, either democracy will spread or totalitarianism will spread and I hope very much that the Congress will act favorably upon these bills to give this concrete object lesson, this vivid demonstration before the world of the vitality of our democratic faith, the strength of our federation principle of government, by extending to these people who have proved themselves worthy in every reasonable sense the right to become full citizens on the same basis as all the rest of us.

We ought to do this because it is right; but if we do not consider that factor, we ought to do it out of a decent concern for our own well-being in the future.

I do not know of anything to add to the above which I said in 1947. I can see nothing important to lose by granting statehood. I can see a great deal to gain. I am happy that after 12 years of effort the objective is about to be achieved. It will prove to be a good and a wise act.

The CHAIRMAN. The Chair at this time will call attention to the time remaining. The gentleman from New York [Mr. O'BRIEN] has 39 minutes remaining, the gentleman from Washington [Mr. WESTLAND] an hour and 2 minutes.

Mr. WESTLAND. Mr. Chairman, I have only one remaining request for time.

Mr. O'BRIEN of New York. Would the gentleman prefer that I yield now?

Mr. WESTLAND. I would prefer that.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 17 minutes to the gentleman from Louisiana [Mr. PASSMAN].

Mr. PASSMAN. Mr. Chairman, it is my earnest hope that the Members of this House will vote favorably, by large majority, on the momentous question of admitting Hawaii as the 50th member of our Union of States. As a Member of this body from the Deep South—the Fifth District of the great State of Louisiana—I feel that I should avail myself of this opportunity to express my unqualified personal support of statehood for Hawaii and also, I am fully confident, the approval of the people whom it is my honor and privilege to represent in the Congress.

I say to you, that contrary to impressions which are held by some people, both in and out of public life, the majority of the people of the Southland—along with the majority of the citizenship of our entire Nation—are unquestionably for statehood for Hawaii. These same people, notwithstanding the erroneous public assertions that were made otherwise, also were supporters of statehood for Alaska. Our people of the South, where good American citizenship and patriotism are ingrained as a way of life, have warmly welcomed Alaska into our Union of States; and there is no doubt whatsoever in my mind that the welcome to Hawaii will be equally as sincere and complete.

The people of our Southland are vitally interested, and justly so, Mr. Chairman, in the preservation of the constitutional rights of the States of our Union. The thoughtful citizen, not only of the South but of every section of our Nation, realizes full well that the citizens of the new State of Hawaii would also be keenly conscious of the tremendous importance of safeguarding the rights of the States, a status for which they have worked so long and hard.

Mr. Chairman, we hear the same arguments in opposition to admission of Hawaii to the Union as were used against Alaska. The same type of objections were also raised against admitting many of our other great States. But none of these arguments has proved valid, for in every instance of the admission of a new State to the Union, our country has been strengthened immeasurably.

I wish to note that our fellow Americans of the Territory of Hawaii have given their children more years of schooling, have a lower crime rate in every category, pay a higher per capita tax to our Federal Treasury, and have sacrificed proportionately more of their sons and husbands in the last three American wars, than has, for example, the population of my own great State of Louisiana, or many other of the States within the Union.

Furthermore, Mr. Chairman, I believe it is worth while to mention that under its constitution, overwhelmingly ratified in 1950, the people of Hawaii have taken this move as a strong protection against communism:

> No person who advocates, or who aids or belongs to any party, organization or association which advocate, the overthrow by force or violence of the government of this State, or of the United States, shall be qualified to hold any public office or employment. (Sec. 3, article 14, constitution of the State of Hawaii.)

May I add, Mr. Chairman, that no other American State constitution contains such a protective provision against communism.

Let us recall also that thus far our Nation has fought only one shooting war against Communists—the war in Korea. When that conflict suddenly erupted our Hawaiian troops were geographically closer to Korea and were among the first to see action. All told, more than 12,000 of Hawaii's young men—many of them dock and field workers—enlisted, or were drafted, to fight for the country that denied them representation in the Government that conscripted them.

In the Korean conflict, not one case of cowardice, or of desertion to the enemy, was recorded on the part of a Hawaiian; instead, 426 of them were killed in action, a death toll which was four times as high as the killed-in-action average for the United States as a whole. Almost one thousand other Hawaiians were severely wounded, or captured; yet not one of them was successfully brainwashed by the enemy.

And surely we have not forgotten the valiant record of Hawaii's men at arms in World War II. No fighting men from anywhere ever conducted themselves more valiantly.

Fair play demands, Mr. Chairman, that we admit Hawaii to our Union of States. Enlightened self-interest also demands it.

Is it not unrealistic for Uncle Sam to use one of his hands to lavishly pass out billions of dollars in gifts and guns to other nations of the world in an effort to obtain their loyalties, while he uses the other hand to reject a half million of his own loyal citizens who ask nothing but to be bound more closely to him that they may share, in common with other Americans, all of the privileges and duties and perils of full citizenship?

As it is, even if Hawaii is to be awarded full statehood this year—and I firmly believe that such is to be—historians of the future doubtless will shake their heads in puzzlement over a United States that has wantonly delayed the grant until now. A United States which has permitted 14 golden post-World War II years to slip by without such action, which—had it occurred in 1946 or earlier—would surely have helped retard the spread of communism in the Orient.

But despite the delay, it is heartening to realize that today we are finally awakening to our responsibilities to act with justice toward our fellow Americans in Hawaii, and to strengthen our Union through the practice of intelligent self-interest, as we did last year in the case of Alaska. I hope and trust that we will act positively, with no further delay, to bring the Territory of Hawaii, with its vast wealth of human and natural resources, into full union with our other 49 States.

It is apropos to quote here a statement made by Abraham Lincoln, who said some hundred years ago:

> Those who would deny freedom to others do not deserve it for themselves; and, under a just God, they will not retain it.

With all my heart, I believe those words to be true. And believing them to be true, I am convinced that statehood for Hawaii resolves itself, in essence, to this question: Will this Nation, by its action on this issue, turn from or continue to pursue the path which has led it to greatness, and has caused it to be the bright beacon of hope for freedom-loving peoples throughout the world?

Mr. Chairman, if statehood should be denied the deserving Territory of Hawaii through our failure now to close the small remaining gap, then every individual responsible for such a disgraceful occurrence would richly deserve censure of history. For, if this statehood bill should be defeated, we would have failed not only the disfranchised Americans of Hawaii, but we also would have failed to respond to the unmistakable and expressed wishes of a substantial majority of the people we represent.

Never should we forget that the American people are fair-minded; and time and again they have demonstrated that they are wise, wiser by far than is sometimes recognized. I firmly believe that the three out of four Americans who favor statehood for Hawaii do so because they know that the colonial status of the Territory is repugnant to both the letter and the spirit of our form of government; and they know, too, that if "taxation without representation" and "Government without the consent of the governed" were tyrannies 183 years ago, they are equally so today.

The American people also realize, of course, that the free peoples of the world and the evil forces of international communism are locked in a battle to the death for the minds of men; and their sound judgment tells them that we are denying ourselves an important victory in that struggle when we fail to give our Hawaiian citizens their full birthright as American free men.

Mr. Chairman, I have touched upon but a few of the significant points of the case for Hawaiian statehood. May I add here, however, a very brief summary:

Hawaii was an independent nation, with a king and a queen, until by agreement it became an incorporated Territory of the United States, with a complete understanding that statehood would be granted when the people had become prepared for it.

The Hawaiian is just as much an American as any citizen of any State. The citizen of Hawaii is subject to all the laws of our land, but is without a vote in the Congress.

In per capita income tax payments to the U.S. Treasury, Hawaii ranks about 16th among all the States, paying more income tax on a per capita basis than 32 States of the Nation.

Records show clearly that Hawaii is freer from communism than any State in the Union. The Hawaiian people's patriotism and their love for the American way of life are such that Communists find it very difficult to thrive there.

Hawaii has an educational system as fine as any in the world, outranking any of the States of the Union. Illiteracy is practically an unknown phenomenon in the islands.

In the history of the whole world, the Japanese-Hawaiian military unit emerged from World War II as the bravest military unit ever to do battle, receiving more medals for valor than any other military unit ever known.

During all the wars in which we have been involved since Hawaii became an incorporated Territory of the United States, Hawaii has always been the first to meet its war bond quota, before any of the States of the Union have done so.

Militarily, on a per capita basis, the Armed Forces enlistments from Hawaii have surpassed those of any State in the Union.

Mr. Chairman, I know the Hawaiian people; I have associated with them. They are fine Americans, for whom full citizenship as members of the Union of States is long overdue.

Just as, throughout the course of our national history, the addition of each new State has made us a better and stronger Nation, so, too, will Hawaii, upon admission to statehood, add its measure of greatness to the whole.

Now, Mr. Chairman, before I conclude, I wish to pay tribute to a great American, a dear personal friend, a fellow Louisianian, a successful businessman, an outstanding citizen, Mr. George H. Lehleitner, of New Orleans. More than any other single individual, either in the Government or out of it, George Lehleitner has been at the forefront in advancing the cause of statehood for both Alaska and Hawaii, and in finally bringing to reality what once was a hope, at times, it seemed, a hope far from fulfillment. But George Lehleitner, New Orleans businessman, outstanding American, became imbued with the ideal of gaining statehood for Hawaii and Alaska while in service as a naval officer, the captain of his ship, during World War II. The fire that was kindled within him then, through his association with the fighting men and the people as a whole of Hawaii and Alaska, has never since flickered. He has given of his very self—his time, his talents, his efforts, his financial means—to carry on the statehood fight, to bring about correction of the injustices resulting from keeping our fellow citizens of Hawaii and Alaska in Territorial status, without the full privileges of citizenship, although bearing all the responsibilities. Last year George Lehleitner saw justice done in the matter of statehood for Alaska; this year, I have no doubt, he will see justice done for Hawaii. He has fought the good fight, and now the victory. America is much the stronger, the better, because of him. For his great and good works, we of the Congress—Americans everywhere, and especially Alaskans and Hawaiians—owe to George Lehleitner a lasting debt of gratitude.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Washington [Mr. TOLLEFSON].

Mr. TOLLEFSON. Mr. Chairman, on three occasions since it has been my privilege to serve in this House, I have voted in favor of statehood for Hawaii. Again I shall vote for the bill now pending before us, which would grant such statehood.

On each of the earlier occasions I sincerely believed that Hawaii deserved and was entitled to membership in our sistership of States. After hearing the arguments in favor of the pending measure I am more convinced than ever that statehood should be granted. The members of the Committee on Interior and Insular Affairs have presented an ironclad case in support of their proposal. Their arguments are irrefutable. I trust that the measure will be overwhelmingly approved.

Mr. WESTLAND. Mr. Chairman, I yield such time as she may desire, to the gentlewoman from Washington [Mrs. MAY].

Mrs. MAY. Mr. Chairman, unlike my colleague who spoke just before me, this will be my first opportunity to exercise the privilege of voting for Hawaiian statehood. I am going to be very proud so to do.

I am pleased to be able to add my remarks to those already made on this historic session of the House of Representatives because I believe our Nation needs Hawaii as a State of the Union.

Hawaii is a community of Americans who have proved that East and West can live and work together, in peace and war, under the flag of freedom. I am

sure that statehood will be an example before the world of American democracy in action. Hawaii has now passed every test.

The Nation wants Hawaii because public opinion is overwhelmingly in favor of admitting Hawaii into the Union. Numerous congressional hearings have exhaustively investigated Hawaii's fitness for statehood. This body has passed Hawaiian statehood bills many times. The platforms of both political parties have called for an immediate statehood.

I believe Hawaii's 500,000 people have fulfilled the obligation of citizens for more than one-half a century without enjoying all the privileges. They have paid taxes as residents of the States do and have served on battlefronts equally, but have had no voice in either tax or draft legislation and as we are all so aware, taxation without representation violates a basic American precept. Statehood is the expressed will of Hawaii's people, as it is the expressed will of the people of the United States of America. Statehood will be beneficial to us all and I am pleased to go on record as heartily favoring the admission of Hawaii as the 50th State of the United States of America.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Ohio [Mr. HENDERSON].

Mr. HENDERSON. Mr. Chairman, I know that many of my colleagues have expressed misgivings with regard to this bill. Many more have been silently weighing the issues. At one moment they feel that the matter should be delayed another term or two. Further consideration suggests that action should be taken now. I must admit that I have had misgivings, and that some of them are yet unresolved.

I opposed the Alaska bill last year, and consistency might suggest that I follow the same course on this bill. But sometimes events occur which destroy some of the virtues of consistency. With Alaska, the step has been taken, statehood has become a reality. The action cannot be undone. There is a 49th State, and because of that precedent there is additional argument for a 50th. I shall support the bill, and I believe that there is ample reason for those in this Chamber, this Congress, to support the statehood issue.

Correspondence I have had with constituents leads one to believe that statehood for Alaska has popular approval.

Many arguments are advanced in opposition. The insular nature of the area, its distance from the mainland, the racial composition of the residents, the important position of the ILWU, and Communist influence have all been discussed and proper weight given to their importance.

I am glad to hear assurance from some of our colleagues, Mr. WALTER, Mr. JACKSON, among others, who have made a special study of subversion that statehood may strengthen the hand of loyal Americans by placing upon them full-scale American responsibilities of citizenship. I share that feeling, Mr. Chairman. I feel that statehood will give Hawaii the same completeness of American style of government which has enabled all the States to overthrow undesirable situations arising within them, and to withstand continuous to their existence.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from Pennsylvania [Mr. SIMPSON].

Mr. SIMPSON of Pennsylvania. Mr. Chairman, once again Hawaiian statehood is before the House and once again I rise in its support.

Although we have heard many arguments on both sides of this question, I feel certain that no issue coming before the Congress in recent years has captured the imagination of the American people as has the admission of two new States to our Union. In admitting Alaska last year, the Congress brought to fruition the hopes and dreams of the people of that far northern Territory and stirred in the hearts of many other Americans new dreams of another frontier for our adventurous people.

Mr. Speaker, in acting to admit Hawaii as our 50th State, we can right another wrong and bring to full citizenship some 575,000 people who have met all the obligations of citizenship for more than half a century without its privileges. The admission of Hawaii as a State would provide a dramatic example to the world, and particularly to our friends in the Far East, of American democracy in action. It would bolster Hawaii's defense role in the Far East and serve notice on the rest of the world that the United States intends to stay in the Pacific.

Hawaii has passed every test for statehood. Congressional committees, Government departments, military leaders, and many, many other groups have taken a close look at the islands and come up with one conclusion: Hawaii is ready for statehood and America is ready for Hawaii.

Since 1941, national surveys have shown that American public opinion is overwhelmingly in favor of admitting Hawaii into the Union. Some 30 national organizations have gone on record in favor of Hawaiian statehood.

The platforms of both political parties urge immediate statehood. Twenty separate congressional hearings have exhaustively investigated Hawaii's fitness for statehood. The House of Representatives has passed statehood bills three times, dating back to 1947.

The American press is nearly unanimous in its support of Hawaiian statehood. Let me cite a few examples from the newspapers in my State which could be multiplied over and over in every State in the Union.

First, Philadelphia Inquirer, February 1:

> Surely the time has come when this Territory should follow Alaska into the Union, as our 50th State. Her people deserve it, they very much desire it, and they would be a valuable addition to the United States of America.

Second, Pittsburgh Sun-Telegraph, February 6:

> It is illogical and unfair to grant statehood to Alaska and deny it to Hawaii.

Third, Reading Times, January 31:

> For we hope by the time the first session of the 86th Congress completes its chores, Hawaii will be the 50th State.

Fourth, Hazelton Standard-Sentinel, February 13:

> We need Hawaii as an equal partner as much as Hawaii needs statehood. (Interior Secretary Fred A. Seaton.)

Fifth, Lancaster News, January 4:

> It seems incredible that Hawaii can be kept out.

Sixth, Altoona Mirror, February 10:

> Let's aid Hawaii. Alaska is over the hurdle. Now it's Hawaii's turn.

Mr. Speaker, these are just a few examples of editorials that have come to my attention in recent weeks. But they demonstrate the overwhelming desire of the American people to bring into the Union this enchanted Pacific paradise whose beauty has overwhelmed its citizens and visitors for generations.

I would like to quote Mark Twain who once visited the islands and 20 years later remembered them in these words:

> No alien land in all the world has any deep, strong charm for me but that one; no other land could so longingly and beseechingly haunt me sleeping and waking, through half a lifetime, as that one. * * * Other things leave me, but it abides. * * * For me its balmy airs are always blowing, its summer seas flashing in the sun; the pulsing of its surfbeat is in my ears. * * * In my nostrils still lives the breath of flowers that perished 20 years ago.

Mr. Speaker, Hawaii is literally America's "Main Street" in the Pacific. It is a community of Americans who have proved that East and West can live and work and play together, in peace and war, under a flag of freedom which I sincerely hope will very shortly contain 50 stars instead of 49.

Mr. WESTLAND. Mr. Chairman, I yield 10 minutes to the gentleman from Pennsylvania [Mr. SAYLOR] to close debate on this side.

Mr. SAYLOR. Mr. Chairman, today is a momentous day in American history, because before the sun sets today a condition will exist under the American flag that has not existed since July 1, 1776. On the 1st day of July 1776 in Philadelphia representatives of Thirteen Crown Colonies met in the Continental Congress. On that day the Jefferson resolution was called up. There was a great deal of debate. John Hancock presided until the last Delegate had spoken. He then turned over the chair to a Delegate from Virginia, Mr. Randolph; went over to the group that came from his own Colony and sat with them. Then the clerk of the committee called the roll for the first time of those Thirteen Colonies. It rather ominously began with the New England Colonies: Massachusetts, Rhode Island, Connecticut, New Hampshire, followed by New York, Delaware, Pennsylvania, and others. Is it not strange that today when the roll is called of the 49 States of the Union it begins with Alabama, Alaska, Arizona, Arkansas, California, and Colorado, names unheard of and undreamed of on July 1, 1776? Yet every

one of the 36 States that have been admitted to the sisterhood of States from that time has met opposition. But I dare say—and I challenge the members of this committee to have one Member of Congress from any one of those 36 States rise in the well of the House and say that when the Congress in its wisdom admitted his State to the sisterhood of States it made a mistake.

It is very interesting to note that even before the Constitution of the United States was adopted by the Thirteen Original Colonies they had granted an organic act to the Territory of Ohio. Two years later they granted an organic act to Tennessee, and State after State from that time down until last year was admitted into the sisterhood of States; and this country has become bigger, and better, and greater because of it.

When we vote in this House later this afternoon to admit the Territory of Hawaii into the sisterhood of States to make it the 50th State of the Union, for the first time in the history of our country, we will not have under the American flag an incorporated Territory.

Yes, Mr. Chairman, this is a momentous occasion. The people who voted against other States have lived to see the error of their ways. I appreciate, and I know that the other members of this committee appreciate the opposition, and the loyal opposition, of those who have spoken against Hawaiian statehood. But I call upon those who have up until now opposed statehood to see the error of their ways, to rise and support the action of the House Committee on Interior and Insular Affairs, so that this Congress can present to the world a unanimous front, so that when the word goes out this evening over the wires throughout the known world that the United States has added a 50th star to its flag, it will be known that it was done with the unanimous support of all of the Members of the House of Representatives.

Yes; let us not be like a Member of the other body who saw me last night and said, "Do you know, if I had it to do over again, I would have voted for Hawaiian statehood." Today you will have your last opportunity. No other Member of Congress in the foreseeable future will ever have the opportunity that is being presented to you today.

I urge you to support this committee and to make the vote not three to one but overwhelming in favor of Hawaiian statehood.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my chairman.

Mr. ASPINALL. May I, at this time, commend the gentleman for his fine presentation. May I state that throughout the 10 years that I have worked with the gentleman from Pennsylvania his actions have been prompted as he has studied and made judgment on legislation not only by his mind, but also by his heart, and in his statement today, it is the heart of the Congressman from Pennsylvania [Mr. SAYLOR] making this presentation.

Mr. SAYLOR. I thank the gentleman.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. SAYLOR. I am happy to yield to my colleague from Arizona.

Mr. RHODES of Arizona. I want to compliment the gentleman for his fine statement and also I wish to compliment the gentleman for the many years that he has spent working for statehood for Alaska and Hawaii. When I first came to the Congress in 1952, the gentleman from Pennsylvania was chairman of the Subcommittee on Territories and Insular Possessions. He worked very hard in that Congress for statehood, and in every subsequent Congress. He has worked very hard in this Congress. I wish, at this time, to give the gentleman my personal word of congratulations not only to the gentleman from Pennsylvania but to the gentleman from New York and all the other members of the Committee on Interior and Insular Affairs for what I anticipate will be not only a great day for them but for the people in Hawaii as well.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 5 minutes to the gentleman from Vermont [Mr. MEYER].

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. MEYER. I yield.

Mr. ASPINALL. Mr. Chairman, I thing it is perfectly fitting that we should now hear from the gentleman from Vermont who has just taken the floor to follow the presentation of the gentleman from Pennsylvania. It is certainly in order that the gentleman who represents in this House the first State to become a State by admission after the Thirteen Original States had united together under the Constitution of the United States should now state his position.

Mr. MEYER. Mr. Chairman, our Nation had its beginnings in the union of thirteen colonies who ultimately in 1787 drafted and subsequently ratified the Constitution of the United States of America.

In 1791 Vermont became the 14th State and was the first State to be admitted to the Union by a special act of Congress. Prior to its admittance, on January 10, 1791, Vermont had approved the United States Constitution and in presenting to the Congress its case for statehood the commissioners of Vermont said:

> They have seen with great satisfaction a new and more perfect union of the people of America, and the unanimity with which they have recently approved the national Constitution manifests their attachment to it, and the zeal with which they desire to participate in its benefits.

And in conclusion they added:

> The memorialists on behalf of their constituents most respectfully petition that the Congress will consent to the admission of the State of Vermont, by that name and style, as a new and entire member of the United States.

The petition was granted by act of Congress on February 18, 1791, and on March 4 of that year Vermont was legally admitted as the 14th State of these United States.

One hundred and sixty-eight years have passed since that memorable occasion and our Nation has increased in area, and in stature, and now comprises 49 States. There remains one Territory which desires statehood and which has demonstrated that it is prepared to assume equal partnership in our cherished Union.

I am happy to say that the people of my State have indicated to me that they favor the admission of Hawaii as the 50th State. I am able to enthusiastically express the wishes of those constituents who with rare exception wish to welcome a new star into our galaxy.

It is most appropriate that the Representative of the Green Mountain State—the first petitioners for statehood—should be supporting this proposal. Vermont again looks westward. We want Hawaii to join as full partners in our common destiny.

As I have listened to the arguments against the admission of Hawaii as a State, I recall that probably most of these arguments and many others were used in earlier opposition to the entrance of almost every other State that came in after the Thirteen Original Colonies. I propose that in the final analysis, granting the legitimacy of the opposition, it does not make much difference in the end. This country has grown and become great because we were willing to admit other States. If we had not seen fit to do so, probably the original Union would no longer endure; and, therefore, I hope that on this historic occasion we will present an overwhelming vote in favor of the admission of Hawaii.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 3 minutes to the gentleman from Oregon [Mr. ULLMAN].

Mr. ULLMAN. Mr. Chairman, I want to take this time to pay tribute to the distinguished chairman of the full committee and the distinguished chairman of the subcommittee for the fine way in which they have brought this bill before the House. I would also like to commend the other members of the committee, many of whom worked on this legislation for years before I came to this body. And I would like to pay particular tribute to the gentleman who led the opposition in the committee, the gentleman from Texas [Mr. ROGERS] because although he was basically and deeply opposed to this legislation he nevertheless contributed greatly to the perfecting of the bill. He helped write the language that makes this bill one of the finest statehood bills that has ever come before this body.

My good friend the Delegate from Hawaii deserves great commendation for the statesmanlike way in which he handled this matter which has meant so much to him personally and so much to his Territory. When he came here he set a goal, and he worked consistently toward that goal. He did not let temporary changes in the political situation deter him; steadfastly he worked toward his objective. Today marks a tremendous personal victory for the Delegate from Hawaii.

We in Oregon celebrate our hundredth birthday of statehood this year, and I

am particularly happy that Hawaii is going to join the Union 100 years following the State of Oregon.

Mr. Chairman, as a sponsor of one of the proposals authorizing Hawaiian statehood, I am pleased that this legislation is now before the House for consideration.

Extensive hearings have been held by the Committee on Interior and Insular Affairs concerning the wisdom of permitting Hawaii to join the Union. I actively participated in those hearings, and I am convinced that now is the time to authorize statehood and thus provide long-overdue equitable treatment for the more than half a million loyal Americans inhabiting the Hawaiian Islands.

Hawaii has long been promised statehood, both by implication and by official action of the Government of the United States. Fifty-nine years ago Hawaii voluntarily surrendered its independence at the urgent invitation of this country. This action between two governments took place in order that Hawaii might be, as officially stated, "incorporated into the United States as an integral part thereof."

It is particularly significant that more than a hundred years ago, in 1854, President Franklin Pierce authorized negotiations to annex Hawaii to the United States. This proposed treaty of 1854 stated that the "Hawaiian Islands shall be incorporated into the American Union as a State, enjoying the same degree of sovereignty as other States, and admitted as such as soon as it can be done in consistency with the principles and requirements of the Federal Constitution to all the rights, privileges, and immunity of a State as aforesaid on a perfect equality with other States of the Union." Though the negotiations were not consummated, their discussion in official circles caused the people of Hawaii to believe statehood was their destiny.

President Andrew Johnson, in his annual message to the 40th Congress on December 19, 1868, in speaking of a reciprocity treaty with Hawaii, said "it would be a guarantee of the good will and forebearance of all nations until the people of the islands shall of themselves, at no distant day, voluntarily apply for admission into the Union." Twenty-two years later Hawaii was incorporated into the Union. Since then Hawaii has applied by petitioning Congress for statehood on at least 20 different occasions.

President Harry S. Truman as long ago as January 21, 1946, recommended statehood for Hawaii in his annual message on the state of the Union. He again recommended to Congress that Hawaii be granted statehood when the 81st Congress reconvened.

When the elected leaders of democratic America throughout a hundred-year period officially recommend that Hawaii should be granted State government, it is time the recommendation be fulfilled. In statements of its Members and by action of its committees, Congress itself has caused the people of Hawaii to believe that State government would soon be achieved.

The action taken by Congress is much more than an implied promise; it is the continuation of a policy firmly established by Congress on 29 other occasions when States have been brought from territoriality to statehood. It has been recognized historically that when Congress actively recognizes a Territory as a "part of the United States" and incorporates it into the Union as such, that in itself is a prerequisite to any step in the direction of statehood.

As long ago as 1900, Congress rejected an amendment to the proposed Organic Act for Hawaii which would have provided that Hawaii should not at any time in the future be admitted to statehood. It was during the 56th Congress, 1st session, that Congressman Ebenezer J. Hill, Republican, of Connecticut, during debate on the proposed Organic Act for Hawaii, moved to add an amendment as follows:

> Nothing in this act shall be construed, taken, or held to imply a pledge or promise that the Territory of Hawaii will at any future time be admitted as a State or attached to any State.

When questioned by a colleague, Congressman Joseph G. Cannon, of Illinois, as to whether or not there was anything in the bill providing a government for Hawaii which committed Congress to admit Hawaii to statehood, Congressman Hill replied:

> I think there is. * * * The American people look upon the authorization and full organization of a Territory as the first step toward statehood. It has always been so construed; it always will be so construed.

The amendment was rejected. But Congressman Hill was correct when he stated:

> The American people look upon the authorization and full organization of a Territory as the first step toward statehood.

On February 20, 1900, Senator Morgan, of Alabama, during debate on Hawaii's Organic Act in the Senate, said that when he was in Hawaii, as a member of the McKinley Commission to draft a form of government for Hawaii, he had made a study of Hawaii's experience in government. Following his two visits to Hawaii, he said:

> I became satisfied that those people had built up a government that was at least equal in all respects to any government in the American Union.

He then told the U.S. Senate his first proposition to the members of the Commission meeting in Honolulu was that—

> We should recommend that the people of the Hawaiian Islands should hold a convention, adopt a constitution, and apply for admission into the American Union.

The last survivor of that group, the late Justice Frear, wrote not long ago to Hawaii's late Delegate to Congress, Joseph R. Farrington, that the five-man Commission "did recognize and realize at the time that they were recommending for Hawaii a status which was regarded as leading to statehood."

During the past 20 years Congress has, on a number of occasions, sent its committees to Hawaii to investigate the readiness of Hawaii to attain statehood. Several of these congressional committees have also held statehood hearings in our National Capital. Every year since the end of the war, a congressional committee has recommended immediate statehood for Hawaii. No wonder the half-million people of Hawaii feel that statehood has been promised to them.

From every historical precedent in our dealings with former territories which are now States, the people of Hawaii have had every reason to believe that they would one day attain State government. Statehood for Hawaii has been promised by implication ever since our Nation began to function.

The Continental Congress provided in the ordinance of 1787 for the admission of States. In those days when a territory had 5,000 free male inhabitants, it was granted legislative powers and allowed to have a delegate to Congress; when it had 60,000 inhabitants it was eligible for statehood. Hawaii, today, has over half a million inhabitants—more than any of the other 29 territories had when they attained statehood, excepting only Oklahoma. Yet Hawaii, which has served an apprenticeship of half a century, in contrast to the average of 20 years for all other former Territories now States, still lives on in hopes of having the promises of statehood fulfilled.

The promises of statehood have not only been held out to Hawaii by action of our Government, and by statements of our Presidents, but by the two major political parties of the United States. Both the Democratic and Republican Parties endorse statehood for Hawaii. Those promises to the people of Hawaii must be kept. We must give increasing evidence to the millions of people the world over that democracy works.

The U.S. Congress has a direct obligation to the citizens of Hawaii to grant them statehood. Hawaii was annexed by act of Congress 59 years ago as a part of the territory of the United States. Congress, in 1900, by enactment of an organic act—in reality a pattern of a State constitution—completed the incorporation of Hawaii as an integral part of the Union. Based on historical precedent, Hawaii has been promised statehood.

Our Supreme Court recognizes the tentative character of Territorial status. The Court in one case before it concluded that—

> The organization of governments for the Territories was but temporary, and would be superseded when the Territories become States of the Union.

Thus, three branches of government under our Constitution have by their actions implied or promised State government to Hawaii. Congress has already enacted legislation to admit as States 30 former Territories, including Alaska. A number of our executives, President Eisenhower among them, have endorsed State government for Hawaii. Supreme Court decisions have pointed out that Territorial government was necessarily limited to a period of pupilage.

Let us not delay any longer in granting statehood to our fellow American citizens in Hawaii. Let us keep our promises to the people of the Territory of Hawaii that with maturity will come responsibility. In our modern world Hawaii needs voting representation in Congress. "No

taxation without representation" and "No government without the consent of the governed," are axioms as much alive and as important to the people of Hawaii as they were to our forefathers who first conceived them. They can only be made meaningful by the adoption of the legislation now before the House.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 2 minutes to the gentleman from Colorado [Mr. JOHNSON].

Mr. JOHNSON of Colorado. Mr. Chairman, as one who supports the cabinet system at the Federal level and who supported the cabinet system for his own State, I welcome the cabinet system experiment reported in the constitution of the State of Hawaii.

As one who supports division of the budget into separate capital and expenditure sections, I welcome the fact that the State of Hawaii has seen fit to so divide its budget, as is indicated in the constitution reported to us today.

As one who has long supported in his own State an automatic constitutional reapportionment of the legislature on a reasonable population basis, I welcome the inclusion in the Hawaiian constitution of that feature as reported to us today.

As a first-term Member, I deem it a high privilege to have been sworn into this body on the same day as the gentleman from Alaska [Mr. RIVERS], the first Representative from that State, and I deem it an even higher honor to have the rare privilege and good fortune to be a Member of the Congress which admits the 50th State to the Union.

May I say parenthetically that I have yet to receive the first piece of mail asking me not to vote in favor of statehood for Hawaii. I can recall no occasion in my own State when this question has come up but what the vote, whether in my party or among my friends, was unanimous for the admission of the State of Hawaii into the Union.

As a Member from a mountain State, may I say I am pleased to see the Congress welcome into statehood a most unusual mountain State. We shall be glad to welcome Hawaii into the group of mountain States.

Speaking as a member of the Colorado delegation, I want to pay special tribute to the dean of our delegation, Mr. ASPINALL, the very able chairman of the Committee on Interior and Insular Affairs, for this very fine work in bringing this measure to the floor at this time. As a Member of this body, and I am sure on behalf of all the Members, I congratulate the entire membership of that committee on both sides, not only for the work they have done on the bill and the report, but also for the able presentation we have had today.

As an American citizen I welcome Hawaii into full membership in the family of States.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 2 minutes to the gentleman from California [Mr. GEORGE P. MILLER].

Mr. GEORGE P. MILLER. Mr. Chairman, I rise in support of statehood for Hawaii. I was one of the members of the Larcade committee, a subcommittee of the then Committee of Insular Affairs that in 1946 visited the islands and made one of the most intensive studies on behalf of statehood that has ever been made. I am convinced, as I was then, that Hawaii is more than ready for statehood. She is as capable of governing herself as any of the States in the Union, and this privilege should be accorded her.

At that time we had the privilege of nailing to the mast a number of rumors in reference to subversion, and disloyalty that had been spread during the war. There was no positive evidence to support them.

There is only a small fraction of the people in our States who can be accused of disloyalty or whose political ideals are not the political ideals of the overwhelming number of Americans. If there are any who can claim any State is without such groups, let them stand up. Hawaii's proportion of such dissidents is no greater than the average.

Surely the people of Hawaii are no different from the people in the other 49 States. They are good American citizens who when called upon have done their bit to sustain this country and who are as proud of that citizenship as you are or I.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. RIEHLMAN].

Mr. RIEHLMAN. Mr. Chairman, I rise in support of this legislation and I want to commend the committee for the fine work they have done in bringing this bill before the House for action today.

It is indeed a pleasure to be able to speak in behalf of Hawaiian statehood. Hawaii has been a Territory of these United States for many years. We have watched her grow and develop a healthy economy. We have watched her sons defend our constitutional liberties on the battlefield. We have watched her blossom into statehood status. Hawaii has come of age, she is fully able to bear her part of the burdens of statehood and I say it is time we extend to her the benefits of statehood.

It was my privilege to vote for Alaska in the last Congress. I deemed it a high honor to vote for the 49th State and I likewise deem it an honor and a privilege on this historic occasion to cast my vote welcoming Hawaii as the 50th State.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New York [Mr. PIRNIE].

Mr. PIRNIE. Mr. Chairman, Hawaii has the population, economy, and proper respect for constitutional government to support statehood. As a Territory, its people have demonstrated a firm adherence to our common American ideals and practices. On the battlefields of Europe, the Pacific, and Korea, the loyalty of the people of Hawaii, as Americans, has been indelibly written into the pages of world history. I am proud to support the bill to admit Hawaii into the Union as our 50th State.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I heartily support this bill and hope it will have a speedy passage. It not only makes possible the addition of a new State to the Union that richly merits such recognition, but awarding statehood should prove most advantageous to the future of the United States. Hawaii has for 40 years awaited statehood status since the first bill was introduced in the House. Its population of almost one-half a million has for years shown its ability to support a sound economy and it has had outstanding development through progressive leadership. During World War II many of our citizens believed that, because of the very varied national background of the people of Hawaii that the islands would prove an Achilles heel in our defense. To the contrary and to the everlasting credit of its residents their full loyalty was proven continually and aided immeasurably in our ultimate victory.

I believe that admission of Hawaii will prove of great significance in our history. It carries even greater import than the admission of Alaska last year. Finally, after many years of debate, sober thought, and judgment, the representatives of the 48 States and now Alaska, have put aside their prejudices and narrow views of the past. This year the debates on both the Senate and House floors were on a high level and did not display the appeals to passion and bias exhibited on some past occasions.

Not only does statehood fulfill the promises made in the Republican and Democrat platforms, but it demonstrates to the world that the people of our country respect the dignity of man and sincerely mean our belief in freedom and liberty and opportunity for all our citizens. Hawaiian statehood carries with it a spiking of Communist propaganda claims and I hope that it also indicates that the temper of both Houses is such that the long disfranchised residents of the District of Columbia will be granted self-government. It is a tragedy that the residents of Washington have been voteless for so many years.

We have spent billions on defense for missiles and H-bombs and billions to bolster the economy and yet unwillingness to grant the vote to District of Columbia citizens again provides Communist propaganda.

The vote that will be taken today will mark the beginning of a new era for the United States. As the Representative from the Seventh District of New Jersey, I consider myself most fortunate in being able to vote for Hawaii as our 50th State.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 3 minutes to the gentleman from Arizona [Mr. UDALL].

Mr. UDALL. Mr. Chairman, we are nearing the close of the debate, and I think we all know that this legislation will pass by an overwhelming vote. I think the reason is that we are going to legislate our hopes here and not our fears. Some would have us vote "no" because we fear Harry Bridges, because we fear a little band of Communists, because we fear that these people in this great island—with their wonderful blend of racial strains—cannot govern them-

selves as other people do. I say that that is no way to legislate. We are going to pass this bill today because we will legislate our hopes. There appears—and I know all of you have seen it so many times that you probably have committed it to memory—in this great Chamber a statement by Daniel Webster high on the wall above the rostrum occupied by the Speaker. It is the only tablet or writing on the walls of this great room. I think that the challenge of Webster's great utterance was placed there as a challenge to us and to all others who will serve here. Let me read it:

Let us develop the resources of our land, call forth its powers, build up its institutions.

This is what we are doing today. We are strengthening our country. We are building up its institutions, I say to you. Further, Daniel Webster said in this statement that if we do these things, quoting again:

We also in our day and generation may perform something worthy to be remembered.

I say that if the 86th Congress does nothing else, when the history books are written, it will be recorded that we were the Congress that enlarged the concept of our Nation and admitted the Territory of Hawaii. So, let us vote yes today because we believe in democracy; vote yes because we believe in strengthening the institutions of our country. This is the reason this legislation will pass, and let us brush aside all the doubts, all the insignificant arguments, and vote for democracy and a strengthened United States.

Mr. BOGGS. Mr. Chairman, will the gentleman yield?

Mr. UDALL. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Chairman, I do not know whether the gentleman has ever made the acquaintance, during the many years of discussion on statehood for Alaska and Hawaii, of a citizen of my State, George Lehleitner. Mr. Lehleitner is well known in Alaska, as in Hawaii. I would not want this debate to end without paying tribute to him, because, using his own resources and with complete devotion to the causes of the peoples of these two great areas; I think more than any single individual he has contributed immensely to the historic occasions of statehood for Alaska and Hawaii. I might say also that I personally am proud that a man from my State of Louisiana has made this contribution, because the Louisiana Territory, purchased in 1803, was the first significant development of the United States of America after the Thirteen Original States.

Mr. UDALL. This is a most appropriate comment, and we on the committee know of his magnificent contribution.

Mr. WESTLAND. Mr. Chairman, I yield such time as he may desire to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, on this historic occasion, I rise to support the legislation which will make Hawaii our 50th State.

Our history is convincing proof that our country has grown not only in size but in strength, vision, and unity with the admission of each succeeding State. As California, Louisiana, Texas, Alaska, and the remaining States admitted to the Union, opened new vistas to our people, increased our strength and unity and demonstrated the practical application of the words of the Constitution and the Declaration of Independence to the world, so will Hawaii.

My only reservation, occasioned by certain Communist influences, now apparently prevalent, has been resolved by the belief that a grateful people in a surge of patriotism kindled by their admission to the Union will exert the necessary effort to remove this one blemish from an otherwise untarnished record of patriotism, industry, and accomplishment.

I urge my colleagues to vote for the admission of Hawaii as our 50th State and, in the belief that this bill will pass by an overwhelming majority, welcome the people of Hawaii to the Union.

Mr. O'BRIEN of New York. Mr. Chairman, I yield 1 minute to the gentleman from Mississippi [Mr. COLMER].

Mr. COLMER. Mr. Chairman, in connection with the remarks of my distinguished colleague and friend, the gentleman from Louisiana [Mr. BOGGS], I wanted to say that I subscribe to the tribute that he paid to Mr. George Lehleitner, who maintains a home in my congressional district.

I have consistently, as the Members of this House know, opposed this legislation, and I am still opposed to it, and I am going to vote against it. But in this man to whom tribute was paid here we find one who unselfishly has been a great crusader for this cause. He has done everything he could to try to change my position, but whatever he has done has been unselfish, and I think he is entitled to the tribute that my friend has paid him. I respect his views even as I have reason to believe he respects mine. He is a gentleman in every respect and believes in fighting for what he subscribes to.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may require to the gentleman from Texas [Mr. WRIGHT].

Mr. WRIGHT. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. WRIGHT. Mr. Chairman, statehood for Hawaii is the redemption of a promise which we made more than 60 years ago.

By granting it, the United States is proving today that we keep our word.

We shall be proving also that we still are motivated by the same principles which gave us birth as a nation when we said that "taxation without representation is tyranny."

For 60 years the proud people of Hawaii have uncomplainingly paid all Federal taxes paid by other Americans, and for 60 years their sons have willingly volunteered and have been conscripted to offer their lives in defense of our country. Yet they have had no voice in the governing of the country.

Today, happily, that fundamental wrong is being righted.

The citizens of Hawaii have fully demonstrated a readiness for full partnership in our American family of States.

The record clearly shows, to their great credit, that they have given their average youngster more years of schooling, have a far lower crime ratio in every category, pay a higher per capita tax to our Federal Treasury, and have sacrificed proportionately a greater number of their sons and husbands to defend freedom in the last three American wars than has the population of the United States as a whole.

For Hawaiians, this has been much more than merely a fight for political equality. It has been an intensely spiritual struggle by a people to demonstrate to their fellow Americans on the mainland, and especially to their own children, and the possession of an oriental or a Polynesian name and face is not of itself a badge of inferiority.

More important than any of this perhaps, we and they are today demonstrating to the world that the system of government we have perfected here in the United States works, not only for Caucasians, but for all of the world's peoples.

What an impact this lesson could have on all of Asia.

So far as Hawaiians themselves are concerned, they have long since proven their own deep and abiding patriotism to the United States.

During World War II, Hawaii's native son battalions endured the heaviest battlefield casualties of any American field unit and justly won the distinction of being the most highly decorated organization in the entire 170 year history of the U.S. armed services.

Many of my very good friends in Texas who served in the 36th Division during World War II owe their lives to the selfless, heroic, and sacrificial patriotic devotion of the men of the 442d Infantry Regimental Combat Team, Hawaiians all, who broke through the enemy lines in Italy during the bitter days of World War II when other units had failed and, at great cost to themselves, provided a rescue for that substantial part of the 36th Division which had found itself trapped and surrounded. No Texan, and no American, should ever forget that act of marvelous heroism.

In the Korean war, our only armed clash as a nation with communism, Hawaiian units were employed heavily in those heartbreaking early days when they, and a pitifully small number of other Americans, gallantly kept us from being pushed off the Korean Peninsula. As a consequence, Hawaii's Korean war deaths were more than four times higher than the U.S. average.

More than 22,000 Hawaiians wore the American uniform in that conflict with communism. Many were killed, and others taken prisoner. Yet the record reveals not a single case of defection or

desertion to the enemy. The Communists, with their most fiendish techniques, could never succeed in brainwashing a single one of them.

On every occasion when we have brought in another State as a member of this great American union, the action has precipitated bitter controversy. Always there have been dire predictions. But always those predictions have been proven to have been wrong. Most of the self-same arguments being employed today against Hawaii were employed against the admission of Louisiana, Florida, and Texas.

On the face of the great seal of Hawaii, there is this inscription: "Ua mau ke ea o ka aina i ka pono." Translated, it reads: "The life of a land and its people is preserved by righteousness."

It seems to me that all they ask of us today is righteousness—to be given a voice along with the rest of us in the governing of our common country which levies taxes against them and which takes the lives of their sons to defend our Nation.

To give them anything less would be unworthy of our own history and unworthy of our aspirations as a nation. For, as Abraham Lincoln stated:

> Those who would deny freedom to others, do not deserve it themselves. And, under a just God, they will not long retain it.

Mr. O'BRIEN of New York. Mr. Chairman, I yield one minute to the gentleman from California [Mr. SAUND].

Mr. SAUND. Mr. Chairman, when the vote was taken in the Committee on Interior and Insular Affairs on this bill, I was absent. I had accepted an invitation to speak before a group of State Department employees. I was unavoidably delayed. As I have stated to the chairman of the committee, if I had been present I would have voted for granting statehood to Hawaii, with an unqualified and emphatic "Yes."

Mr. O'BRIEN of New York. Mr. Chairman, I yield 4½ minutes to the gentleman from Oklahoma [Mr. EDMONDSON].

Mr. EDMONDSON. Mr. Chairman, I consider it the greatest honor I have known in my service in the House to have the privilege of being one of the closing speakers for the committee on this matter of Hawaiian statehood. I had intended to discuss from this well in the closing minutes the issue of communism, but I believe that has been so adequately handled by the distinguished chairman of the Committee on Un-American Activities and by the evidence put before us here today that no further comment is necessary.

To me the most convincing answer to any charge that suggests disloyalty or subversion among the people of Hawaii is their battlefield record in Korea. You cannot look at that record and see what it tells of heroism and loyalty of the Hawaiian soldiers without concluding that here is a people deserving of our trust and confidence. Remember, there has been only one battlefield of the world where American arms thus far have met the challenge of Communist arms, and that was the battlefield of Korea. On that battlefield, with 4½ times as many casualties per unit of population as the average for other States in this Nation, the people of Hawaii have demonstrated and proved their loyalty and their right to full participation in this Republic.

Three months ago, Mr. Chairman, I walked in the shadows of the walls of the Kremlin with a distinguished young American who is giving his life to the fight against communism. I asked him in the shadow of those walls in Moscow, "What could we in Congress do to contribute most effectively to this worldwide fight against the Communist conspiracy?" I would like to tell you here today that his answer was direct and unequivocal on the question of Hawaii. It was not. He did not say, "Vote statehood for Hawaii." But he did say something that leads to that conclusion. He said, "Give us from the Congress positive and affirmative acts to show the world what democracy means and what it stands for."

That is what we do here today, Mr. Chairman. We give to the world positive and affirmative acts by our votes and by admission of Hawaii to demonstrate to the world that the American dream is not limited to one continent, that the American dream is not limited to people of one particular racial strain or one particular national origin. We say to the world we believe in this American dream and we believe in it for all people who qualify for participation in this Union of States.

We say also to the world that America honors her commitments, that when we enter into a commitment with an incorporated Territory we keep that commitment and we extend to that Territory when it is ready for statehood the mantle of statehood and all that goes with it.

We also say to the world that we are not afraid of communism or the Communist philosophy among the people who know what the American dream stands for. Regardless of our people's racial origin, regardless of their place of birth, we have no fear that they will abandon American principles and American ideals for this Communist philosophy, in the Hawaiian Islands or any place else where statehood is entrusted to a people.

So I say to you today, we have the opportunity here with a positive and affirmative act to spread the glory of the American dream 2,000 miles to the west, and to say to a great people, we admit you to full partnership in this Union. And we are not afraid of the 2,000 miles, either. We know that you can go from Washington to Honolulu in less than 1 day. When this Nation was conceived it took 4 days to travel from Washington to Philadelphia. Today we travel the thousands of miles from here to Hawaii and we do it in less than a day.

We say to the world, "We are citizens of a new age and a new world. We are writing into law, with the new State of Hawaii, a new foundation for our Government and its future that recognizes this new age."

STATEMENT OF CONGRESSMAN B. F. SISK, 12TH DISTRICT, CALIFORNIA

Mr. SISK. Mr. Chairman, as a member of the Committee on Interior and Insular Affairs and of the subcommittee having jurisdiction over statehood, I am happy today to rise in support of full citizenship for the people who will become our 50th State. As a member of the Territories Subcommittee, I have supported statehood for Hawaii for the past 4 years. That support has been based upon my firm conviction that the residents of the islands were entitled to the full rights and privileges of citizenship. That feeling, however, had been rather an impersonal one based upon my philosophy and hearsay, rather than upon actual knowledge. Last fall, as a member of the special committee heretofore mentioned in this debate, it was my privilege to visit the islands and today my support is based upon a deep personal conviction of the absolute necessity to grant statehood to this area. It was my opportunity to meet and talk to hundreds of people in all walks of life and this led me to the deep conviction that here was a group of people of mature capabilities well able to carry out their duties and responsibilities as a sister State. Because of my contacts with labor unions, business organizations, educational people, religious and social leaders, I am deeply convinced of their awareness of and their ability to cope with the Communist issue in their area.

Allegations of Communist domination in Hawaii are again being injected into the statehood issue as a reason for delaying admission of this Territory into the Union.

I should like to make two points clear with respect to the revival of this line of attack.

The people of Hawaii and their many friends and mainland supporters know this tactic and they are most anxious that it be recognized. Its sole aim is the defeat of pending legislation for Hawaiian statehood.

The people of Hawaii, by vote of their Territorial legislature in 1949, requested the House Un-American Activities Committee to come to Hawaii and make an on-the-spot investigation.

The confidence of the people of Hawaii that they would be vindicated was justified by the reports of the committees which followed.

A subcommittee of the House Committee on Un-American Activities subsequently, during April 1950, conducted an investigation of Communist activities in the islands. Upon its conclusion, neither the Democratic chairman, Representative FRANCIS E. WALTER, nor the ranking Republican member found any cause whatever for withholding statehood from the Territory. As recently as the opening weeks of this 86th session of the Congress Representative WALTER voluntarily appeared before the Committee on Interior and Insular Affairs to reaffirm his belief that Hawaii should be granted statehood.

We have never assumed that there were no Communists in Hawaii. To do so would be as dangerous as it would be naive. Hawaii is too important to have been overlooked by the enemies of our way of life. However, the problem of communism in Hawaii is a national problem, just as it is in New York, and in

California, and everywhere else in the Nation.

We must not fall into the error of attempting to isolate a whole community of American citizens, and to keep them in isolation, just because there are some Communists among them.

A large number of labor unions are represented by locals in Hawaii. In only one of them, the largest, has there been a question of Communist influence. This is the International Longshoremen's and Warehousemen's Union, headed in San Francisco by Harry Bridges. It has been expelled from the CIO as part of the national organization's campaign against communism. More recently, it was accused of being Communist-dominated by one of its former leaders, Jack Kawano, in testimony before the subcommittee of the House Un-American Activities Committee.

As part of a nationwide roundup of alleged Communist leaders, the Federal Bureau of Investigation in September 1951 arrested seven persons in Hawaii on charges of violating the Smith Act. All seven were indicted by a Federal grand jury composed of Hawaii citizens.

On June 19, 1953, a jury of Hawaii citizens returned a unanimous verdict of guilty against all seven defendants. The fact that the verdict was nullified by the U.S. Supreme Court, does not destroy the importance of this example of Hawaii's ability to handle whatever Communist problem there may be.

It was during the 1949 waterfront strike that the Territory demonstrated most conclusively that it was able to control the effects of a vital labor-management dispute.

During the 1949 dock strike the Territorial legislature was convened in special session. A law was enacted authorizing the Territory to take over the docks and carry on stevedoring operations until the strike was settled. This law remains in effect and Hawaii's legislators have rebuffed efforts by the ILWU to have it repealed.

As a consequence of this strike the Hawaii Residents' Association was formed to carry on an educational program to combat communism. This association has continued its program for almost 10 years, supported by voluntary contributions from Hawaii's people.

In a further demonstration of Hawaii's determination and ability to deal with communism, the legislature established a Territorial commission on subversive activities. This commission serves as an investigating body and issues periodic reports on whatever evidence of lingering communism may be uncovered.

Thus have the people of Hawaii demonstrated their determination to handle their own Communist problem. In this way they have offered further evidence of their loyalty, political maturity and ability to fulfill the added responsibilities of statehood.

HOME RULE FOR THE DISTRICT OF COLUMBIA

Mr. FOLEY. Mr. Chairman, statehood for Hawaii will be recognition, at last, of an old American principle. Those who govern themselves are governed best.

The great progress Hawaii has made, the prosperity of the islands and the achievements of their community have qualified them for equal status with the States of the Union.

If there are any who doubt the benefits of self-government, I would like to refer them, for contrast, to the Commissioners' recent report to Congress on the state of the Nation's Capitol, the District of Columbia. Its pages make somber reading. Washington, after 85 years of Federal control of local government, is in a serious plight. The cold statistics of the Commissioners' report give a sorry picture of what can happen to a great city without self-government.

And the Commissioners themselves, and some of the Members of Congress most experienced in District affairs, are the first to declare that Washington needs its own local self-government.

My point, Mr. Chairman, is that it is time to examine the state of the District and ask ourselves whether, in good conscience, we can continue to deny the people of Washington the power and opportunity to deal with problems they are now helpless to attack. Look at the facts.

They show that much of the District is being blighted by slums. Higher income families are moving out and are being replaced by low income families unable to bear the tax burden required to run a modern city. Property values are declining and welfare costs are rising.

Decay has set in in the downtown business areas. Retail sales in the District decline while business is booming in nearby Maryland and Virginia.

District government finances are in trouble and the forecast in years ahead is even darker.

This picture, I submit, is in sharp contrast to the glowing economic health of Hawaii. It cannot be blamed on the voteless citizens of the District. We, not they, have presided over the decay of Washington.

It is true that many cities in this country are struggling with similar problems. But the people of other cities can fight their problems with their powers of self-government, local initiative and local enterprise. The people of Washington are denied even the chance to try to solve their problems.

If 85 years of nonrepresentative government have brought the Nation's Capital to this crisis, I say it is time for a change. Certainly, the people of the District could do no worse. I think they could do a lot better because I have faith in local self-government.

Hawaii has shown what local self-government can accomplish. When the time comes later this session—I hope not much later—let us bestow at least a measure of self-rule and self-respect on the nearly million people of the District by granting home rule.

Mr. DADDARIO. Mr. Chairman, I want to add my voice to those urging immediate passage of this bill to enable Hawaii to become a State. This measure is long overdue. The repeated promises, the repeated efforts that have been made, some by this House, to grant statehood can be crowned today by this effort.

I know of no one in this body with whom I have talked who thinks of this addition to our flag as a symbol of empire. We have no imperial intentions as we welcome Hawaii to the Union. We have no colonial designs. Instead Hawaii comes in as have 49 before her—agreeing to federate because in union there is strength. Her sovereignty as a State remains as does the sovereignty of all States. Her cooperation as a member of the Union lends strength to her and to this Federal Government.

The facts regarding Hawaii are available to all who have read the excellent report of the committee chaired by the distinguished gentleman from Colorado. I noted, in particular, the fact that Hawaii has a greater population today than any other State—but the original 13 and Oklahoma—had when admitted to the Union. It is larger in area than my own State of Connecticut. While it is true that its territory is not contiguous with the country, neither was California. Neither is Alaska.

The mail I have had from my district is overwhelmingly in favor of admission. Connecticut has historic ties with the Hawaiian Islands. Its people were among the first missionaries to settle there. The ancestor of a former Senator from Connecticut played an important part in its history. More recently, many of Connecticut soldiers who served in the Pacific in World War II had occasion to become familiar with the islands.

I would like to pause briefly to pay tribute to the Hawaiian participation in that war. As one who served in Italy, I am familiar with the record and achievements of the 442d Regimental Combat Team, the famous Go-for-Broke outfit. Their courage, their tenacity, their drive has gone down in the history of the Fifth Army. In the Pacific theater, I am particularly aware of the work done at the Amphibious Landing Training Center on the island of Oahu, where techniques of Pacific assaults were taught to members of divisions staging for combat. I know, of course, of the great bastion at Pearl Harbor and the Army installation at Schofield Barracks that marked this outpost of American defense.

Since 1903, Hawaii has petitioned no less than 17 times for statehood. We have repeatedly promised her the full rights and privileges of statehood. Let us make that pledge good.

Mr. ZABLOCKI. Mr. Chairman, I would like to comment briefly on the legislation before us, to provide statehood for Hawaii.

I have listened carefully and intently to the debate on this bill, both yesterday and today. The testimony and evidence presented leaves little doubt but that the majority of the people of Hawaii desire statehood. They wish to be joined more closely with our Nation. They want to be an integral part of our Nation. They desire to be admitted to the Union as the 50th State.

I have no doubt that the people of Hawaii would prove loyal citizens of such a new State, and loyal citizens of the United States of America. Their

past history and past endeavors make that point clear. Further, their energies and talents, and the resources of their Territory, would prove a definite asset to our great Nation.

In spite of these facts which argue strongly for the enactment of the legislation before us, I feel that I should voice certain reservations which have not been dispelled in this debate. These reservations do not cast any reflections upon the people of Hawaii—on their loyalty, their sincerity, or their strong desire to become entirely included in our Nation.

My reservations are based on a simple geographical fact: The fact that the Territory of Hawaii is, and will always remain, separated from our continent by thousands of miles of the Pacific Ocean. The Territory is not contiguous to our country. It has a separate geographical identity. This geographic location of the Hawaiian Islands has certain definite implications as far as the defense and security of the proposed 50th State are concerned.

It is very true that we have already assumed certain responsibility for the security and defense of Hawaii—a responsibility which will continue even if Hawaii should not be granted statehood. The fact remains, however, that—in the admission of Hawaii to statehood—our responsibility in this field will increase, and the discharge of that responsibility may entail problems which we have not encountered to date.

This is the only point that I wanted to stress. I believe that we must face this fact squarely as we vote to admit Hawaii to the Union. To avoid this issue, or to minimize its implications, would be very shortsighted.

Fully conscious of the new responsibilities it will entail, I shall vote for statehood for Hawaii because I believe that the reasons for the enactment of the bill before us outweigh the reasons which argue for another course of action. I sincerely hope that Hawaii, and our entire Nation, will in the long run benefit from this decision.

Mr. SCHWENGEL. Mr. Chairman, there are over 800,000 people living almost in the shadow of our Capitol, the world's greatest symbol of liberty and freedom—who have no voice in shaping the destiny of even their own affairs through self-government. In many States, because of disproportionate representation in State legislatures, many citizens of those States are referred to as second class citizens. In the District of Columbia these 800,000 people are not even citizens. So far as the law and the present situation continues, we the people of this great Government, we who proudly refer to our Government as a government of the people, by the people, and for the people, treat these people of the District as children. We Representatives in Congress who are elected to represent our districts are forced to sit as members of a city council or as members of a school board to look after the affairs of people who can and will take care of their own affairs and do it much better than we can, and if we gave them the right of representation here as we should they would give as good an account of themselves in this body as the new Representatives that this new State will send to this body.

Last year we granted the right to vote and representation in this Congress to the people of Alaska who have more territory and less people than any other State in the Union. In fact the election before they voted for the approval of statehood indicated that there were less than 30,000 people who were sufficiently interested in government to vote. We gave these people the right to have two votes in the U.S. Senate and one vote in the U.S. House of Representatives. Three votes in the greatest legislative body in the world.

My question, Mr. Chairman, is this: Is it not more important to give the people in the District a voice in their own government at least than it is to give people in far-off Alaska and in faraway Hawaii the right to be represented here?

These people can truly state that they are worse than second class citizens. They have every right to complain and join the refrain of another day which said, "Taxation without representation is tyranny."

Both Hawaii and the District of Columbia, I sincerely believe, present us with a basic moral issue. It is this—do we have a right and can we justify denying fellow Americans the rights of citizenship—the right to achieve equality? Is it right to ask their sons and daughters to face the enemy and fight with bullets and not give them the right to fight with ballots? It is my feeling that this Congress will and should meet this moral issue so far as Hawaiian statehood is concerned and in doing so I think we accept an equal moral obligation to grant our fellow Americans who live in the District of Columbia the right to at least govern their own local affairs.

Let us now give immediate attention the rights of people of the District of Columbia—who have been voteless much too long—the people of our country will approve and the freedom-loving people of the world will applaud.

Mr. JARMAN. Mr. Chairman, I want to go on record for statehood for Hawaii. Throughout our history three basic requirements have been demanded by tradition and precedent before a State can be admitted into this Union of ours: First, that the inhabitants of the proposed new State be imbued with, and sympathetic toward, the principles of democracy as exemplified in the American form of government; second, that a majority of the electorate desire statehood; third, that the proposed new State have sufficient population and resources to support a State government and to provide its share of the cost of the Federal Government.

With regard to the first requirement, there can be no question that the people of the Hawaiian Islands are thoroughly American. Their wartime record of patriotism leaves no doubt of their loyalty to the mainland, and I am sure my colleagues will agree that this loyalty is most certainly an integral part of our concept of Americanism. Hawaiians, regardless of ancestry, look to the West for guidance and emulation. Whether it be business, education, sports, politics, or mores, the pattern is always unmistakably American. Hawaii is in every way a mirror of the mainland. It is the showcase of American democracy.

Now, Mr. Chairman, concerning the second requirement that a majority of the electorate desire statehood. The record of Hawaii is quite clear in this respect. In a 1940 plebiscite, her people voted 2 to 1 for statehood. A decade later they approved the proposed State constitution by more than a 3 to 1 majority. More recently, the ratio of approval has jumped from the 3 to 1 ratio in 1946 to an 8 to 1 ratio in August of 1958. The people of the islands desire to participate in the full responsibilities of American citizenship.

Mr. Chairman, the third requirement for statehood—the ability to pay for statehood—poses no problem for Hawaii. The gross Territorial product of Hawaii for 1957 was about 1¼ billion, a figure twice as large as that of any other State at the time of its admission. In 1956 the per capita income exceeded that of 26 States, while the per capita tax burden was higher than that of 33 States.

The Territory is comparatively thickly settled with a population of about 582,000. In fact, Hawaii today has a greater population than that enjoyed at the time of admittance to the Union by any of the States, with the single exception of the State whose Fifth District I represent, Oklahoma.

Mr. Chairman, America was founded, and has grown into the great Nation she now is, on the principles of dealing fairly with all her people and granting equal rights to all those able to fulfill their responsibilities and share in carrying the common burdens. Hawaii has long since served her apprenticeship in the American way of life and the American way of government. She has accepted voluntarily and wholeheartedly our ideas, concepts and methods. Statehood for Hawaii and the obligations State sovereignty will impose on her people will bring the true spirit of liberty to the islands. Hawaii, the window through which all Asia views American democracy, will assume this last challenge with dignity and fortitude.

Mr. LIBONATI. Mr. Chairman, it is a foregone conclusion that H.R. 4221, presently substituted by S. 50, passed by the Senate on March 11, will pass the House by a comfortable margin estimated by good authority as 340 to 66.

The success of the measure was largely a result of the sagacious handling of the legislation by Delegate JOHN BURNS in the 85th Congress. His courage was matched only by his good judgment in acceding to the delay of the Hawaii bill in order to insure the adoption of the Alaska bill.

Under the forceful leadership of the gentleman from New York [Mr. LEO O'BRIEN], the opposition crumbled into total insignificance.

The prophecy that I made on July 31, 1958, relative to the recognition of Hawaii is now, as far as the House is concerned, a reality.

I am proud to insert in the RECORD the prediction that I made at that time together with the merited praise ac-

corded to Delegate BURNS, of Hawaii. I congratulate him on his foresight and leadership:

Mr. LIBONATI. Mr. Speaker, it is my privilege to attest to the sincere efforts of Delegate JOHN BURNS, representing Hawaii, in his laborious and persistent campaign to successfully carry the banner of his constituency into the circle of States.

In spite of the vicious opposition waged against Hawaii's admission, he has always maintained the patient and polite attitude of a gentleman. He earned the confidence and trust of all his colleagues and has demonstrated forensic abilities on the floor and in his committee work that commands the respect and admiration of the Congress and officials of Government.

Personally I am proud to number him among my intimate friends. He has so impressed me—a new Member—with his appeals for the admittance of Hawaii that I sponsored a bill for its admittance.

It is unfortunate that because of a combined effort on the part of several geographical divisions within the congressional membership that the presentment of both Alaska and Hawaii at the same session would, as in the past, sealed their doom.

So that it was the consensus of the opinion of the supporters of both States to delay the Hawaii bill and press for the Alaska bill—after many filibusters and other delaying tactics including some 15 quorum calls and lengthy debate about 3 days—it was purely a setup political stampede.

The treatment of the Alaska bill in the Senate followed the same pattern. And the threat was made that the Hawaii bill's filibustering would make the Alaska job look like a Sunday-school meeting.

Delegate BURNS succumbed to our advice. He could not jeopardize the Hawaii bill—the solid membership of both bodies, northern Democratic stalwarts and pro-Republican State men from the high timber and urban sections of the North, so decided. And they knew what they were talking about.

It has come to our attention that certain political promising wild guessers are blaming Delegate BURNS for the delaying to next session the statehood campaign for Hawaii.

No one was more anxious than Delegate BURNS to go ahead. We decided it for him—and we do the voting.

It will take a full campaign for 3 or 4 months to put over the Hawaii bill, so that means lack of time made the decision necessary. We stand behind Hawaii with an honest and sincere desire to establish her statehood. And we stand behind Delegate BURNS, the finest representative and most popular public servant in the Congress. His return insures the realization of the dreams of every Hawaiian.

Mr. ROBISON. Mr. Chairman, I was privileged last year to cast my vote in favor of statehood for Alaska. I do not wish to repeat here the many valid reasons given by my colleagues in support of statehood now for Hawaii. To my mind those arguments are as compelling today in favor of Hawaii as they were in the last Congress in favor of Alaska.

It is also my belief that an overwhelming majority of the people of my congressional district desire that this Congress extend the long overdue advantages of statehood to the loyal people of Hawaii and that, in view of that fact, I should not consider this question from the standpoint of political or partisan objections, as I fear some of us are tempted to do.

I am particularly impressed with one extremely important result of the action we may be taking here today. Statehood for Hawaii, Mr. Chairman, in my mind will dramatically demonstrate that the people of the United States both cherish and practice the democratic ideal that our citizens do stand equal before the law regardless of color or creed.

The example of a State of Hawaii will shine in the Pacific for half the world's people to see and compare with the empty promise of equality held out by communism. Let us act now to set such an example.

Mr. METCALF. Mr. Chairman, on this historic occasion in voting statehood for Hawaii our Government is keeping a promise made long ago. Hawaii has waited long and patiently. In some ways this long wait has not been in vain. The State constitution that has been adopted is a model one that might not have been so admirable had Hawaii gained admission earlier. The economy of Hawaii is better able to support a State government, and the voters of our new sister State have a maturity that will enable them to bear their new burdens with poise and their new obligations with dignity.

In the more than 100 years that have elapsed since Hawaiian statehood was first considered; and in the 22 hearings that have been held on that subject, no one man nor any single group of men can be given complete credit for the successful vote that is going to come about at the conclusion of this debate. However, special recognition should be given to a few who have participated in the culmination of Hawaii's long drive for statehood. I join in honoring the gentleman from New York [Mr. O'BRIEN], the chairman of the subcommittee, and the gentleman from Colorado [Mr. ASPINALL], the chairman of the Committee on Interior and Insular Affairs. The gentleman from Pennsylvania [Mr. SAYLOR], the ranking majority member of the Committee on Interior and Insular Affairs, and himself a former chairman of the territorial subcommittee, are the trio whose teamwork has brought this bill to the floor today. On the Senate side, my own senior Senator, Senator MURRAY, of Montana, presided over many of the Interior Committee hearings and committee sessions to bring out the bill in that body.

I join my colleagues in paying tribute to the untiring efforts of Mr. George H. Lehleitner, of New Orleans, who has made statehood for Alaska and Hawaii a personal crusade.

But if any one man is to be singled out for his statesmanship, his tact, his patience and perseverance in the cause whose triumph we are today witnessing, it is Delegate JOHN A. BURNS. Insofar as I know, only the gentleman from Oregon, Mr. ULLMAN, and I, of all the Members of Congress, were born in Montana. However, the delegate from Hawaii also has that great distinction. He was born at Fort Assiniboine in northern Montana. If he desires to represent his new State in the other body he will be the only Member of that body who was born in Montana. If he returns to our side, AL and I will welcome him as the third Montana-born Member of the House of Representatives.

Mr. DOYLE. Mr. Chairman, first, with extreme pleasure I compliment all the members of our Committee on Interior and Insular Affairs, both those who oppose this bill, H.R. 4221, and those who favor it—on both sides of the committee aisle. It is a splendid presentation of the case—both pro and con—that they present us for our important and historymaking decision to be recorded yet this afternoon on a rollcall vote.

As you may readily surmise, I will vote for statehood for Hawaii. I have done so each of the other occasions it has been before us during my dozen years in this great legislative body. I voted during the 85th Congress for statehood for Alaska. I shall vote for the House bill before us now, or if the Senate bill for Hawaii statehood, which passed the U.S. Senate on yesterday afternoon, is substituted for our House bill, I shall vote for that.

Having listened throughout yesterday's several hours of debate, and then again from this morning at 11 a.m. adding this information to that which I obtained at Hawaii when I was there a few years ago officially for one of my House committees, I cannot but conclude that the fair and sound, reasonable action should be to again act affirmatively for its admission into the sisterhood of United States.

I will not now take the time of this committee of the House in general debate to reenumerate the substantial arguments in favor of the admission of Hawaii under this bill, and which arguments I at this time adopt as and for my own; nor, could I do less than compliment those who have debated against the bill for their manifestly well-prepared presentation of their antiphilosophy toward the bill. As this debate comes to a close I observe it as one of the most dignified and best presentations of factual information and summary I have listened to in my more than a dozen years upon this floor.

Furthermore, I know full well that our minds are pretty firmly already made up as to how each of us shall vote in an hour or so from now.

As to the Communist problem existing in Hawaii, which is stated as one of the very major objections to admitting Hawaii into statehood, I call your specific attention to the clear-cut, analytical, factual statement made on this very floor within the hour by the distinguished chairman of the House Committee on Un-American Activities, Mr. WALTER, who although he sat in committee hearings in Hawaii on the subject of communism and became pretty intimately familiar with the problem there existing, took this floor and emphatically urged the passage of this bill. Having been a member of the House Un-American Activities Committee myself for several years now, some of which years he has been the committee chairman, I have never known Mr. WALTER to advocate any congressional move which would mean either the strengthening of, or success

for, the Communist philosophy or program. Furthermore, we must not overlook the fact that any of these citizens of Hawaii can come to the United States of America as American citizens. They are American citizens where they are. They are not aliens in the sense which you and I ordinarily think of a person as being an alien.

Beginning at the time I was a teenager in my high school years I was more proud than otherwise of my Nation because it was designated as "the melting pot of nations." I doubt if I can be successfully contradicted when I now make the observation that probably 90 percent of the Members of this House can trace their ancestry back to parents, grandparents or great grandparents born in foreign countries. Hence the fact of there being many thousands of American citizens of foreign ancestry or lineage in what will be the new State of Hawaii does not destroy my sense of decision that it is in the best interests of our beloved Nation's security, defense and expansion that Hawaii be admitted to full statehood. I shall vote accordingly.

Mr. GALLAGHER. Mr. Chairman, I would like to add some remarks about the memorable occasion of today in which I had the pleasure of participating.

It is an honor to vote for statehood for Hawaii and to participate in this historical moment of the passage of this bill.

This is a living demonstration of democracy in action. It is proof of the vitality of the United States. It is a complete refutation of the Communist lies that we wish to perpetuate colonialism.

It is the fulfillment of the hope that we have long held out to the loyal people of Hawaii. It is the fruition of their dream. It is a complete demonstration of the honor and integrity of the United States.

Pearl Harbor will long be remembered as the point where the infamy of the totalitarians challenged the honor and courage of the United States. History records how we responded to that challenge.

Today, we say to the people of Pearl Harbor and to all Hawaiians that we not only remember Pearl Harbor but that we remember the people of Hawaii and their loyalty to the United States.

This vote today demonstrates that the United States offers more than the hope of freedom to the world. It is proof that the United States of America is synonymous with the word freedom.

Mr. VANIK. Mr. Chairman, I am as happy to cast a vote in support of statehood for Hawaii as I was to cast a similar vote for Alaska last year.

On every count, the people of the Hawaiian Islands have proven their case for statehood.

The admission of these new States is a symbol to the rest of the world that America is still a young Nation and a growing Nation, a United States in which membership comes by the voluntary action and with the consent of both the new States and the old.

As a State, Hawaii will undoubtedly have to meet many problems of adjustment. The concentration of land ownership and the tight reigns on its control will quite likely become the concern of every American, particularly as Hawaii is drawn more closely to the Union. It will become increasingly difficult for one family to continue to own an island to itself and completely dictate the use of its land or the custom and habits of its people.

During my years in military service, I recall the restrictions which governed any military operations in and about the Island of Niihau, which was owned by one family and continues to be the property of one family today. This type of island proprietorship and matriarchal determination of what is good or bad for the occupants of an island must pass. Undoubtedly the longstanding grip of a few families on the fine and beautiful lands of Hawaii will in a like manner pass after more and more people migrate to the islands and among the islands in search of opportunity for work or pleasant living.

I know that Hawaii will take its proper place among the States and that adjustment to statehood will be quickly made.

The people of Hawaii owe a deep debt of gratitude to Delegate JOHN A. BURNS who worked with great and untiring devotion for the cause of Hawaiian statehood. It is my hope that the people of Hawaii will recognize these efforts as a newly admitted State.

Mr. DANIELS. Mr. Chairman, I am indeed very happy to be a Member of the 86th Congress which will vote upon Senate bill 50 for admission of the State of Hawaii into the Union. It is a great pleasure for me to join with my colleagues in the House in support of this bill. The economy of Hawaii is excellent and the loyalty and patriotism of its people during World War II and the Korean War was excellent, and, in my opinion, is still excellent today.

The people of Hawaii have petitioned the Congress of the United States no less than 17 times since 1903 to become a State of the Union. Hawaii has served its apprenticeship as a Territory longer than any other Territory now a State. These people are not foreigners, they are not Communists; they are people who seek to be brought into the full brotherhood of the Union of our 49 States. These people are imbued with the spirit and principles of our democracy as exemplified in our form of government. The people of this Territory deserve statehood. They are possessed with sufficient resources to support State government, as well as its share of the cost of the Federal Government.

Hawaii has demonstrated in many ways and many times its loyalty to our principles of government. It is my privilege to join with my colleagues of this House to vote for the admission of the State of Hawaii as the 50th State of the Union.

Mr. GIAIMO. Mr. Chairman, today is a historic day in the history of our beloved country.

Today by our vote on Hawaii we have shown once again to the world, as we have done throughout the history of our Nation, that ours is indeed a living, dynamic, and freedom-loving country dedicated to the principles enunciated in our Bill of Rights.

Today we have done our part to assure statehood for Hawaii. We have said to the world that the United States truly measures up to the oft-stated expression that it is man's greatest experiment in self-government. Our laws have long provided for admission to statehood of incorporated Territories when they should have attained the standards required for admission.

Today we are seeing these laws live and with such a magnificent vitality.

We are welcoming to the sisterhood of States an incorporated American Territory, 2,200 miles out in the Pacific Ocean, southwest of California, whose population is 85 percent native-born American and of diverse racial and national backgrounds, which are 23 percent Caucasian, 37 percent Japanese, 17 percent Hawaiian, and the remainder Filipino, Chinese, Korean, Puerto Rican, and others.

In effect we have proclaimed to all the world that America is for all Americans regardless of color, creed, or racial origin. We are welcoming a group of loyal Americans to the sisterhood of States realizing full well that the racial and national backgrounds of a majority differ from those of most continental Americans.

Surely this proves the spirit and words of the Constitution of these United States that America is not for some people, dependent on their race or color, or nationalistic background or religious belief, but rather that it is for all Americans. This has always been the heritage of America. This has always been the mission of America.

Today it has been proven once again to those who may need the proof.

I shall always remember with the greatest of pride for my country what has been accomplished in these last 2 days for Hawaiian statehood.

Truly, this has been a day in which history has been made and with humility and gratitude I am happy to have participated in it.

Mr. FASCELL. Mr. Chairman, on this historic occasion I am happy and privileged, on behalf of the people whom I represent in the Fourth Congressional District of Florida, to add my support to the legislation which is pending before this Committee granting statehood to Hawaii.

The record is abundantly clear that Hawaii, its people and its government have met every fair criteria and condition for joining us in this great union of sovereign States.

Over the many years that the issue of Hawaiian statehood has been considered, the people of Hawaii have waited patiently, and yet as Americans, have acted vigorously so that as this outstanding event in history takes place, the people of Hawaii can note with pride the progress which they have made.

As a star in the Pacific, the new State of Hawaii expresses a fulfillment of a hope—not only to Hawaiians, but to all people in the world who love and cherish freedom and respect of the individual found under our form of government.

Let us hope that the favorable and affirmative action which we take here today in the creation of the State of Hawaii will long be a shining light to the mass of humanity in this world still struggling mightily to achieve some small measure of a life free from fear, economic want, and political tyranny.

Mr. O'BRIEN of New York. Mr. Chairman, I yield such time as he may desire to the distinguished Delegate from Hawaii [Mr. BURNS].

Mr. BURNS of Hawaii. Mr. Chairman, I should like to thank each and every member of the Interior Committee, as well as each and every member of the Rules Committee, for his careful and thorough consideration of this present bill, for the time each has given, for the great interest and concern each has displayed. Personally, and on behalf of the people of Hawaii, I want also to express our deep and immense gratitude to those many Congressmen and Senators of both parties and those millions of American people who have worked for and supported Hawaii's efforts to be admitted as a sovereign State in the American Union. We convey, too, our respect to those Congressmen and Senators of both parties, and those citizens of the United States, who, while they have not supported Hawaiian statehood, have taken their stand out of conviction and out of concern for the same welfare of the same United States where we, in Hawaii, believe in and uphold with like conviction and like concern, and which we are convinced Hawaiian statehood will immeasurably advance.

I am proud and humbly thankful to stand here today on the floor of the U.S. House of Representatives as the representative of the people of Hawaii—of whom I am one—and to whom, as an American and as a human being, I owe so much. They are a great people and this is a great Nation. My only sorrow, and I assure you it is a deep one, is that so many of Hawaii's people and so many citizens of the 49 States and their Congressmen share, is that it is still necessary for someone to stand here before you and argue that Hawaii should be admitted as a State in the American Union.

Mr. Chairman, many people have remarked that the single greatest achievement for which the 85th Congress will go down in history was its passage of Alaska statehood. It is my deepest hope, the hope of the nearly 600,000 Hawaiian Americans, the hope of the vast majority of the American people everywhere, that the 86th Congress will go down in history as the Congress which authorized statehood for Hawaii.

Mr. Chairman, I share with many others the intense conviction that there is no more important piece of legislation before this Congress than Hawaii statehood. For passage of Hawaii statehood will usher in a great new era in the Pacific and in the East—in other words, in that area of the world whose astounding recent emergence has already placed in its hands the key to future world peace. Hawaii statehood will assure for America its full opportunity for leadership in the development of this major part of the world as a ground for thriving, free peoples, whose culture will be a strong, fruitful union of East and West. The outlines of this transformation are fast being drawn, and the State of Hawaii would provide a model agency and focal point through which the United States could play its part in shaping the direction of this transformation. Statehood for Hawaii would be our most decisive step to date in assuming this leadership and in opening up in this area a positive, invaluable avenue of approach.

There is no point in trying to elaborate here on Hawaii's many virtues and qualifications, on the many wonderful contributions it can make to our country as a State in the American Union.

What I do wish to point out is that Hawaii has waited long; that committee documents alone are so voluminous it would very likely take several months of sustained work for anyone to read them straight through; that Hawaii—unselfishly—precluded any good chance of its own passage in the last session of Congress to allow Alaska the full, free consideration it certainly deserved; and that Hawaii is willing and able to employ its talents, as a State equally with other States, in helping solve the vast and difficult problems which confront our American democracy in these times above all.

Mr. Chairman, on behalf of Hawaii's people, whom I am most privileged to represent, and who have always believed, and will always believe, that the Congress of the United States will never deviate from its historic effort to foster and secure liberty and self-determination for all its people, I express our earnest hope that this House, today, will enable Hawaii's people to assume their full, unfettered stature as Americans, as mature, responsible bearers of the American heritage in which they so deeply believe and whose ideals they have so wonderfully fulfilled.

The CHAIRMAN. All time has expired. The Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, subject to the provisions of this Act, and upon issuance of the proclamation required by section 7(c) of this Act, the State of Hawaii is hereby declared to be a State of the United States of America, is declared admitted into the Union on an equal footing with the other States in all respects whatever, and the constitution formed pursuant to the provisions of the Act of the Territorial Legislature of Hawaii entitled "An Act to provide for a constitutional convention, the adoption of a State constitution, and the forwarding of the same to the Congress of the United States, and appropriating money therefor", approved May 20, 1949 (Act 334, Session Laws of Hawaii, 1949), and adopted by a vote of the people of Hawaii in the election held on November 7, 1950, is hereby found to be republican in form and in conformity with the Constitution of the United States and the principles of the Declaration of Independence, and is hereby accepted, ratified, and confirmed.

SEC. 2. The State of Hawaii shall consist of all the islands, together with their appurtenant reefs and territorial waters, included in the Territory of Hawaii on the date of enactment of this Act, except the atoll known as Palmyra Island, together with its appurtenant reefs and territorial waters, but said State shall not be deemed to include the Midway Islands, Johnston Island, Sand Island (offshore from Johnston Island), or Kingman Reef, together with their appurtenant reefs and territorial waters.

SEC. 3. The constitution of the State of Hawaii shall always be republican in form and shall not be repugnant to the Constitution of the United States and the principles of the Declaration of Independence.

SEC. 4. As a compact with the United States relating to the management and disposition of the Hawaiian homelands, the Hawaiian Homes Commission Act, 1920, as amended, shall be adopted as a provision of the Constitution of said State, as provided in section 7, subsection (b) of this Act, subject to amendment or repeal only with the consent of the United States, and in no other manner: *Provided,* That (1) sections 202, 213, 219, 220, 222, 224, and 225 and other provisions relating to administration, and paragraph (2) of section 204, sections 206 and 212, and other provisions relating to the powers and duties of officers other than those charged with the administration of said Act, may be amended in the constitution, or in the manner required for State legislation, but the Hawaiian home-loan fund, the Hawaiian home-operating fund, and the Hawaiian home-development fund shall not be reduced or impaired by any such amendment, whether made in the constitution or in the manner required for State legislation, and the encumbrances authorized to be placed on Hawaiian homelands by officers other than those charged with the administration of said Act, shall not be increased, except with the consent of the United States; (2) that any amendment to increase the benefits to lessees of Hawaiian homelands may be made in the constitution, or in the manner required for State legislation, but the qualifications of lessees shall not be changed except with the consent of the United States; and (3) that all proceeds and income from the "available lands", as defined by said Act, shall be used only in carrying out the provisions of said Act.

SEC. 5. (a) Except as provided in subsection (c) of this section, the State of Hawaii and its political subdivisions, as the case may be, shall succeed to the title of the Territory of Hawaii and its subdivisions in those lands and other properties in which the Territory and its subdivisions now hold title.

(b) Except as provided in subsection (c) and (d) of this section, the United States grants to the State of Hawaii, effective upon its admission into the Union, the United States' title to all the public lands and other public property within the boundaries of the State of Hawaii, title to which is held by the United States immediately prior to its admission into the Union. The grant hereby made shall be in lieu of any and all grants provided for new States by provisions of law other than this Act, and such grants shall not extend to the State of Hawaii.

(c) Any lands and other properties that, on the date Hawaii is admitted into the Union, are set aside pursuant to law for the use of the United States under any (1) Act of Congress, (2) Executive order, (3) proclamation of the President, or (4) proclamation of the Governor of Hawaii shall remain the property of the United States subject only to the limitations, if any, imposed under (1), (2), (3), or (4), as the case may be.

(d) Any public lands or other public property that is conveyed to the State of Hawaii by subsection (b) of this section but that, immediately prior to the admission of said State into the Union, is controlled by the United States pursuant to permit, license, or permission, written or verbal, from the Territory of Hawaii or any department thereof may, at any time during the five years following the admission of Hawaii into the Union, be set aside by Act of Congress or by

Executive order of the President, made pursuant to law, for the use of the United States, and the lands or property so set aside shall, subject only to valid rights then existing, be the property of the United States.

(e) Within five years from the date Hawaii is admitted into the Union, each Federal agency having control over any land or property that is retained by the United States pursuant to subsections (c) and (d) of this section shall report to the President the facts regarding its continued need for such land or property, and if the President determines that the land or property is no longer needed by the United States it shall be conveyed to the State of Hawaii.

(f) The lands granted to the State of Hawaii by subsection (b) of this section and public lands retained by the United States under subsections (c) and (d) and later conveyed to the State under subsection (e), together with the proceeds from the sale or other disposition of any such lands and the income therefrom, shall be held by said State as a public trust for the support of the public schools and other public educational institutions, for the betterment of the conditions of native Hawaiians, as defined in the Hawaiian Homes Commission Act, 1920, as amended, for the development of farm and home ownership on as widespread a basis as possible for the making of public improvements, and for the provision of lands for public use. Such lands, proceeds, and income shall be managed and disposed of for one or more of the foregoing purposes in such manner as the constitution and laws of said State may provide, and their use for any other object shall constitute a breach of trust for which suit may be brought by the United States. The schools and other educational institutions supported, in whole or in part, out of such public trust shall forever remain under the exclusive control of said State; and no part of the proceeds or income from the lands granted under this Act shall be used for the support of any sectarian or denominational school, college, or university.

(g) As used in this Act, the term "lands and other properties" includes public lands and other public property, and the term "public lands and other public property" means, and is limited to, the lands and properties that were ceded to the United States by the Republic of Hawaii under the joint resolution of annexation approved July 7, 1898 (30 Stat. 750), or that have been acquired in exchange for lands or properties so ceded.

(h) All laws of the United States reserving to the United States the free use or enjoyment of property which vests in or is conveyed to the State of Hawaii or its political subdivisions pursuant to subsection (a), (b), or (e) of this section or reserving the right to alter, amend, or repeal laws relating thereto shall cease to be effective upon the admission of the State of Hawaii into the Union.

(i) The Submerged Lands Act of 1953 (Public Law 31, Eighty-third Congress, first session; 67 Stat. 29) and the Outer Continental Shelf Lands Act of 1953 (Public Law 212, Eighty-third Congress, first session 67 Stat. 462) shall be applicable to the State of Hawaii, and the said State shall have the same rights as do existing States thereunder.

SEC. 6. As soon as possible after the enactment of this Act, it shall be the duty of the President of the United States to certify such fact to the Governor of the Territory of Hawaii. Thereupon the Governor of the Territory shall, within thirty days after receipt of the official notification of such approval, issue his proclamation for the elections, as hereinafter provided, for officers of all State elective offices provided for by the constitution of the proposed State of Hawaii, and for two Senators and one Representative in Congress. In the first election of Senators from said State the two senatorial offices shall be separately identified and designated, and no person may be a candidate for both offices. No identification or designation of either of the two senatorial offices, however, shall refer to or be taken to refer to the term of that office, nor shall any such identification or designation in any way impair the privilege of the Senate to determine the class to which each of the Senators elected shall be assigned.

SEC. 7. (a) The proclamation of the Governor of Hawaii required by section 6 shall provide for the holding of a primary election and a general election and at such elections the officers required to be elected as provided in section 6 shall be chosen by the people. Such elections shall be held, and the qualifications of voters thereat shall be, as prescribed by the constitution of the proposed State of Hawaii for the election of members of the proposed State legislature. The returns thereof shall be made and certified in such manner as the constitution of the proposed State of Hawaii may prescribe. The Governor of Hawaii shall certify the results of said elections, as so ascertained, to the President of the United States.

(b) At an election designated by proclamation of the Governor of Hawaii, which may be either the primary or the general election held pursuant to subsection (a) of this section, or a Territorial general election, or a special election, there shall be submitted to the electors qualified to vote in said election, for adoption or rejection, the following propositions:

"(1) Shall Hawaii immediately be admitted into the Union as a State?

"(2) The boundaries of the State of Hawaii shall be as prescribed in the Act of Congress approved ----------,
(Date of approval of this Act)
and all claims of this State to any areas of land or sea outside the boundaries so prescribed are hereby irrevocably relinquished to the United States.

"(3) All provisions of the Act of Congress approved ---------- reserving rights or powers to the United States, as well as those prescribing the terms or conditions of the grants of lands or other property therein made to the State of Hawaii are consented to fully by said State and its people."
(Date of approval of this Act)

In the event the foregoing propositions are adopted at said election by a majority of the legal votes cast on said submission, the proposed constitution of the proposed State of Hawaii, ratified by the people at the election held on November 7, 1950, shall be deemed amended as follows: Section 1 of article XIII of said proposed constitution shall be deemed amended so as to contain the language of section 2 of this Act in lieu of any other language; article XI shall be deemed to include the provisions of section 4 of this Act; and section 8 of article XIV shall be deemed amended so as to contain the language of the third proposition above stated in lieu of any other language, and section 10 of article XVI shall be deemed amended by inserting the words "at which officers for all state elective offices provided for by this constitution and two Senators and one Representative in Congress shall be nominated and elected" in lieu of the words "at which officers for all state elective offices provided for by this constitution shall be nominated and elected; but the officers so to be elected shall in any event include two Senators and two Representatives to the Congress, and unless and until otherwise required by law, said Representatives shall be elected at large".

In the event the foregoing propositions are not adopted at said election by a majority of the legal votes cast on said submission, the provisions of this Act shall cease to be effective.

The Governor of Hawaii is hereby authorized and directed to take such action as may be necessary or appropriate to insure the submission of said propositions to the people. The return of the votes cast on said propositions shall be made by the election officers directly to the Secretary of Hawaii, who shall certify the results of the submission to the Governor. The Governor shall certify the results of said submission, as so ascertained, to the President of the United States.

(c) If the President shall find that the propositions set forth in the preceding subsection have been duly adopted by the people of Hawaii, the President, upon certification of the returns of the election of the officers required to be elected as provided in section 6 of this Act, shall thereupon issue his proclamation announcing the results of said election as so ascertained. Upon the issuance of said proclamation by the President, the State of Hawaii shall be deemed admitted into the Union as provided in section 1 of this Act.

Until the said State is so admitted into the Union, the persons holding legislative, executive, and judicial office in, under, or by authority of the government of said Territory, and the Delegate in Congress thereof, shall continue to discharge the duties of their respective offices. Upon the issuance of said proclamation by the President of the United States and the admission of the State of Hawaii into the Union, the officers elected at said election, and qualified under the provisions of the constitution and laws of said State, shall proceed to exercise all the functions pertaining to their offices in, under, or by authority of the government of said State, and officers not required to be elected at said initial election shall be selected or continued in office as provided by the constitution and laws of said State. The Governor of said State shall certify the election of the Senators and Representative in the manner required by law, and the said Senators and Representative shall be entitled to be admitted to seats in Congress and to all the rights and privileges of Senators and Representatives of other States in the Congress of the United States.

SEC. 8. The State of Hawaii upon its admission into the Union shall be entitled to one Representative until the taking effect of the next reapportionment, and such Representative shall be in addition to the membership of the House of Representatives as now prescribed by law: *Provided*, That such temporary increase in the membership shall not operate to either increase or decrease the permanent membership of the House of Representatives as prescribed in the Act of August 8, 1911 (37 Stat. 13), nor shall temporary increase affect the basis of apportionment established by the Act of November 15, 1941 (55 Stat. 761; 2 U.S.C., sec. 2a), for the Eighty-third Congress and each Congress thereafter.

SEC. 9. Effective upon the admission of the State of Hawaii into the Union—

(a) the United States District Court for the District of Hawaii established by and existing under title 28 of the United States Code shall thenceforth be a court of the United States with judicial power derived from article III, section 1, of the Constitution of the United States: *Provided, however*, That the terms of office of the district judges for the district of Hawaii then in office shall terminate upon the effective date of this section and the President, pursuant to sections 133 and 134 of title 28, United States Code, as amended by this Act, shall appoint, by and with the advice and consent of the Senate, two district judges for the said district who shall hold office during good behavior;

(b) the last paragraph of section 133 of title 28, United States Code, is repealed; and

(c) subsection (a) of section 134 of title 28, United States Code, is amended by striking out the words "Hawaii and". The second sentence of the same section is amended by striking out the words "Hawaii and", "six and", and "respectively".

SEC. 10. Effective upon the admission of the State of Hawaii into the Union the second paragraph of section 451 of title 28, United States Code, is amended by striking out the words "including the district courts of the United States for the districts of Hawaii and Puerto Rico," and inserting in lieu thereof the words "including the United States District Court for the District of Puerto Rico,".

SEC. 11. Effective upon the admission of the State of Hawaii into the Union—

(a) the last paragraph of section 501 of title 28, United States Code, is repealed;

(b) the first sentence of subsection (a) of section 504 of title 28, United States Code, is amended by striking out at the end thereof the words ", except in the district of Hawaii, where the term shall be six years";

(c) the first sentence of subsection (c) of section 541 of title 28, United States Code, is amended by striking out at the end thereof the words ", except in the district of Hawaii where the term shall be six years"; and

(d) subsection (d) of section 541 of title 28, United States Code, is repealed.

SEC. 12. No writ, action, indictment, cause, or proceeding pending in any court of the Territory of Hawaii or in the United States District Court for the District of Hawaii shall abate by reason of the admission of said State into the Union, but the same shall be transferred to and proceeded with in such appropriate State courts as shall be established under the constitution of said State, or shall continue in the United States District Court for the District of Hawaii, as the nature of the case may require. And no writ, action, indictment, cause or proceeding shall abate by reason of any change in the courts, but shall be proceeded with in the State or United States courts according to the laws thereof, respectively. And the appropriate State courts shall be the successors of the courts of the Territory as to all cases arising within the limits embraced within the jurisdiction of such courts, respectively, with full power to proceed with the same, and award mesne or final process therein, and all the files, records, indictments, and proceedings relating to any such writ, action, indictment, cause or proceeding shall be transferred to such appropriate State courts and the same shall be proceeded with therein in due course of law.

All civil causes of action and all criminal offenses which shall have arisen or been committed prior to the admission of said State, but as to which no writ, action, indictment or proceeding shall be pending at the date of such admission, shall be subject to prosecution in the appropriate State courts or in the United States District Court for the District of Hawaii in like manner, to the same extent, and with like right of appellate review, as if said State had been created and said State courts had been established prior to the accrual of such causes of action or the commission of such offenses. The admission of said State shall effect no change in the substantive or criminal law governing such causes of action and criminal offenses which shall have arisen or been committed; and such of said criminal offenses as shall have been committed against the laws of the Territory shall be tried and punished by the appropriate courts of said State, and such as shall have been committed against the laws of the United States shall be tried and punished in the United States District Court for the District of Hawaii.

SEC. 13. Parties shall have the same rights of appeal from and appellate review of final decisions of the United States District Court for the District of Hawaii or the Supreme Court of the Territory of Hawaii in any case finally decided prior to admission of said State into the Union, whether or not an appeal therefrom shall have been perfected prior to such admission, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided prior to admission of said State into the Union, and any mandate issued subsequent to the admission of said State shall be to the United States District Court for the District of Hawaii or a court of the State, as may be appropriate. Parties shall have the same rights of appeal from and appellate review of all orders, judgments, and decrees of the United States District Court for the District of Hawaii and of the Supreme Court of the State of Hawaii as successor to the Supreme Court of the Territory of Hawaii, in any case pending at the time of admission of said State into the Union, and the United States Court of Appeals for the Ninth Circuit and the Supreme Court of the United States shall have the same jurisdiction therein, as by law provided in any case arising subsequent to the admission of said State into the Union.

SEC. 14. Effective upon the admission of the State of Hawaii into the Union—

(a) title 28, United States Code, section 1252, is amended by striking out "Hawaii and" from the clause relating to courts of record;

(b) title 28, United States Code, section 1293, is amended by striking out the words "First and Ninth Circuits" and by inserting in lieu thereof "First Circuit", and by striking out the words, "supreme courts of Puerto Rico and Hawaii, respectively" and inserting in lieu thereof "supreme court of Puerto Rico";

(c) title 28, United States Code, section 1294, as amended, is further amended by striking out paragraph (4) thereof and by renumbering paragraphs (5) and (6) accordingly;

(d) the first paragraph of section 373 of title 28, United States Code, as amended, is further amended by striking out the words "United States District Courts for the districts of Hawaii or Puerto Rico," and inserting in lieu thereof the words "United States District Court for the District of Puerto Rico,"; and by striking out the words "and any justice of the Supreme Court of the Territory of Hawaii": *Provided*, That the amendments made by this subsection shall not affect the rights of any judge or justice who may have retired before the effective date of this subsection: *And provided further*, That service as a judge of the District Court for the Territory of Hawaii or as a judge of the United States District Court for the District of Hawaii or as a justice of the Supreme Court of the Territory of Hawaii or as a judge of the circuit courts of the Territory of Hawaii shall be included in computing under section 371, 372, or 373 of title 28, United States Code, the aggregate years of judicial service of any person who is in office as a district judge for the District of Hawaii on the date of enactment of this Act;

(e) section 92 of the Act of April 30, 1900 (ch. 339, 31 Stat. 159), as amended, and the Act of May 29, 1928 (ch. 904, 45 Stat. 997), as amended, are repealed;

(f) section 86 of the Act approved April 30, 1900 (ch. 339, 31 Stat. 158), as amended, is repealed;

(g) section 3771 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(h) section 3772 of title 18, United States Code, as heretofore amended, is further amended by striking out from the first paragraph of such section the words "Supreme Courts of Hawaii and Puerto Rico" and inserting in lieu thereof the words "Supreme Court of Puerto Rico";

(i) section 91 of title 28, United States Code, as heretofore amended, is further amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,"; and

(j) the Act of June 15, 1950 (64 Stat. 217; 48 U.S.C., sec. 644a), is amended by inserting after "Kure Island" and before "Baker Island" the words "Palmyra Island,".

SEC. 15. All Territorial laws in force in the Territory of Hawaii at the time of its admission into the Union shall continue in force in the State of Hawaii, except as modified or changed by this Act or by the constitution of the State, and shall be subject to repeal or amendment by the Legislature of the State of Hawaii, except as provided in section 4 of this Act with respect to the Hawaiian Homes Commission Act, 1920, as amended; and the laws of the United States shall have the same force and effect within the said State as elsewhere within the United States: *Provided*, That, except as herein otherwise provided, a Territorial law enacted by the Congress shall be terminated two years after the date of admission of the State of Hawaii into the Union or upon the effective date of any law enacted by the State of Hawaii which amends or repeals it, whichever may occur first. As used in this section, the term "Territorial laws" includes (in addition to laws enacted by the Territorial Legislature of Hawaii) all laws or parts thereof enacted by the Congress the validity of which is dependent solely upon the authority of the Congress to provide for the government of Hawaii prior to its admission into the Union, and the term "laws of the United States" includes all laws or parts thereof enacted by the Congress that (1) apply to or within Hawaii at the time of its admission into the Union, (2) are not "Territorial laws" as defined in this paragraph, and (3) are not in conflict with any other provision of this Act.

SEC. 16. (a) Notwithstanding the admission of the State of Hawaii into the Union, the United States shall continue to have sole and exclusive jurisdiction over the area which may then or thereafter be included in Hawaii National Park, saving, however, to the State of Hawaii the same rights as are reserved to the Territory of Hawaii by section 1 of the Act of April 19, 1930 (46 Stat. 227), and saving, further, to persons then or thereafter residing within such area the right to vote at all elections held within the political subdivisions where they respectively reside. Upon the admission of said State all references to the Territory of Hawaii in said Act or in other laws relating to Hawaii National Park shall be deemed to refer to the State of Hawaii. Nothing contained in this Act shall be construed to affect the ownership and control by the United States of any lands or other property within Hawaii National Park which may now belong to, or which may hereafter be acquired by, the United States.

(b) Notwithstanding the admission of the State of Hawaii into the Union, authority is reserved in the United States, subject to the proviso hereinafter set forth, for the exercise by the Congress of the United States of the power of exclusive legislation, as provided by article I, section 8, clause 17, of the Constitution of the United States, in all cases whatsoever over such tracts or parcels of land as, immediately prior to the admission of said State, are controlled or owned by the United States and held for Defense or Coast Guard purposes, whether such lands

were acquired by cession and transfer to the United States by the Republic of Hawaii and set aside by Act of Congress or by Executive order or proclamation of the President or the Governor of Hawaii for the use of the United States, or were acquired by the United States by purchase, condemnation, donation, exchange, or otherwise: *Provided,* (i) That the State of Hawaii shall always have the right to serve civil or criminal process within the said tracts or parcels of land in suits or prosecutions for or on account of rights acquired, obligations incurred, or crimes committed within the said State but outside of the said tracts or parcels of land; (ii) that the reservation of authority in the United States for the exercise by the Congress of the United States of the power of exclusive legislation over the lands aforesaid shall not operate to prevent such lands from being a part of the State of Hawaii, or to prevent the said State from exercising over or upon such lands, concurrently with the United States, any jurisdiction whatsoever which it would have in the absence of such reservation of authority and which is consistent with the laws hereafter enacted by the Congress pursuant to such reservation of authority; and (iii) that such power of exclusive legislation shall vest and remain in the United States only so long as the particular tract or parcel of land involved is controlled or owned by the United States and used for Defense or Coast Guard purposes: *Provided, however,* That the United States shall continue to have sole and exclusive jurisdiction over such military installations as have been heretofore or hereafter determined to be critical areas as delineated by the President of the United States and/or the Secretary of Defense.

SEC. 17. The next to last sentence of the first paragraph of section 2 of the Federal Reserve Act (38 Stat. 251) as amended by section 19 of the Act of July 7, 1958, (72 Stat. 339, 350) is amended by inserting after the word "Alaska" the words "or Hawaii."

SEC. 18. (a) Nothing contained in this Act shall be construed as depriving the Federal Maritime Board of the exclusive jurisdiction heretofore conferred on it over common carriers engaged in transportation by water between any port in the State of Hawaii and other ports in the United States, or possessions, or is conferring on the Interstate Commerce Commission jurisdiction over transportation by water between any such ports.

(b) Effective on the admission of the State of Hawaii into the Union—

(1) the first sentence of section 506 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1156), is amended by inserting before the words "an island possession or island territory", the words "the State of Hawaii, or";

(2) section 605(a) of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1175), is amended by inserting before the words "an island possession or island territory", the words "the State of Hawaii, or"; and

(3) the second paragraph of section 714 of the Merchant Marine Act, 1936, as amended (46 U.S.C., sec. 1204), is amended by inserting before the words "an island possession or island territory" the words "the State of Hawaii, or".

SEC. 19. Nothing contained in this Act shall operate to confer United States nationality, nor to terminate nationality heretofore lawfully acquired, or restore nationality heretofore lost under any law of the United States or under any treaty to which the United States is or was a party.

SEC. 20. (a) Section 101(a)(36) of the Immigration and Nationality Act (66 Stat. 170, 8 U.S.C., sec. 1101(a)(36)) is amended by deleting the word "Hawaii,".

(b) Section 212(d)(7) of the Immigration and Nationality Act (66 Stat. 188, 8 U.S.C. 1182(d)(7)) is amended by deleting from the first sentence thereof the word "Hawaii," and by deleting the proviso to said first sentence.

(c) The first sentence of section 310(a) of the Immigration and Nationality Act, as amended (66 Stat. 239, 8 U.S.C. 1421(a), 72 Stat. 351), is further amended by deleting the words "for the Territory of Hawaii, and".

(d) Nothing contained in this Act shall be held to repeal, amend, or modify the provisions of section 305 of the Immigration and Nationality Act (66 Stat. 237, 8 U.S.C. 1405).

SEC. 21. Effective upon the admission of the State of Hawaii into the Union, section 3, subsection (b), of the Act of September 7, 1957 (71 Stat. 629), is amended by substituting the words "State of Hawaii" for the words "Territory of Hawaii".

SEC. 22. If any provision of this Act, or any section, subsection, sentence, clause, phrase, or individual word, or the application thereof in any circumstance is held invalid, the validity of the remainder of the Act and of the application of any such provision, section, subsection, sentence, clause, phrase, or individual word in other circumstances shall not be affected thereby.

SEC. 23. All Acts or parts of Acts in conflict with the provisions of this Act, whether passed by the legislature of said Territory or by Congress, are hereby repealed.

Mr. O'BRIEN of New York (during the reading of the bill). Mr. Chairman, I ask unanimous consent that the bill be considered as read and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. POAGE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. POAGE: On page 2, section 2, line 17, strike out the period at the end of the sentence and insert a comma and add: "but all of such areas, lands, and territorial waters together with all other areas, lands, and territorial waters lying or being in the Pacific Ocean and not now constituting any part of the States of California, Oregon, Washington, or Alaska, and which are now or may hereafter come under the jurisdiction of the United States of America may be included, in whole or in part, in the State of Hawaii at any time or times, when a majority of the qualified voters of any congressionally authorized area therein shall vote to become a part of such State of Hawaii.

"(b) The Congress shall have the right to offer a referendum in all or any part or parts of such area and on such terms and conditions and to such voters as it may from time to time decide, but such areas, lands and territorial waters shall never be constituted into another State without the expressed consent of the State of Hawaii and of the United States of America."

Mr. ASPINALL. Mr. Chairman, I make a point of order against the amendment, but I will reserve the right to argue it in order to permit my friend, the gentleman from Texas, to make his statement.

The CHAIRMAN. The gentleman from Colorado reserves the point of order. The Chair recognizes the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. POAGE. Mr. Chairman, we have heard a very persuasive argument that the United States should not hold in bondage and should not own as chattel any human beings or as property the territory where other people live. I think that enunciates a rather sound principle. It proclaims on the part of the United States the abandonment of colonialism.

To the extent that this legislation abandons the policy of colonialism, it has worldwide appeal. This bill, however, does not carry that persuasive suggestion to its logical conclusion. It limits to a portion of what was once the Territory of Hawaii, what was once the Kingdom of Hawaii, the area of the new State. It leaves hanging as a part of no State, some portions of that Territory that was once ruled by the royal line of Hawaii. It leaves without any statehood status other islands and territories in the Pacific Ocean over which the American flag flies and over which we claim jurisdiction.

This amendment, if adopted, will provide not for the immediate incorporation of areas that may not presently fit into the organization of the new State, but it does provide an opportunity for the ultimate inclusion of every acre of American territory in the Pacific Ocean to be organized into the State of Hawaii. I see nothing so startling or unfair about that proposition. It seems to me that if you accept, as I will accept, the philosophy that every bit of this area should be organized into the boundaries of a State that we ought to here and now make provision for it. We are told by the proponents of this bill that they too feel that these remote areas should ultimately become a part of the new State, but they suggest that we should not act now.

What is the alternative? Mr. Chairman, there is but one alternative, and that is that we will again meet this issue, and that the time will come when this Congress will again be called upon to organize another state or other states in the Pacific Ocean.

I think it has been well pointed out here today that the Hawaiian Islands have the population, have the resources, have the ability to maintain viable State government. No one has contended, and I do not think anyone will contend, that the small islands to the west and to the south of Hawaii can by themselves be so organized as to have that economic stability needed for statehood. Yet when you exclude them today, you exclude them from any possible future consideration, and your only alternative somewhere down the line is to meet the question of admitting those small islands or part of them as another State in our Union. That is, you must ultimately so admit them or you must forever leave them as the property of a colonial United States.

Frankly, I do not want to have to admit another state. I am prepared to vote to bring Hawaii in as a state of the Union with all of the islands of the Pacific under the American flag along with it, but I want to finish the job. I do not want to leave the door open.

I am not here offering this amendment to destroy this bill; on the contrary, I

want here and now to perfect the bill. I am not here trying to prevent Hawaiian statehood. I am trying to prevent a continuation of colonialism. I will accept the policy of anticolonialism for the United States. I wish that it were so easy for some of our friends to accept it. Their problems are often more difficult than ours in this field. I condemn no one. I just want to take advantage of the opportunity which we have today.

Nor do I think that is is quite fair to say that we are going to bring Hawaii into the Union today and that when we need two more votes in the U.S. Senate then we will bring in Samoa or Guam. And if you think that is not going to happen I ask you in all fairness how are you going to bring statehood status to these people on the other islands of the Pacific I ask those who would like to put it off with a smile, how are you going to provide this statehood status for all of the nationals of U.S. territory unless you are prepared to give statehood to those small groups of islands? So, inevitably, Mr. Chairman, we have got to face the question, and now is the time to face it.

There is no purpose in trying to pass just any bill here this afternoon. A bill has already been passed at the other end of the Capitol. We surely have time to consider what actually should be done, and it will take but a few minutes to adopt an amendment. We have got time to do the thing that ought to be done this afternoon and to solve this whole problem at one time. It ought not to be put off. We ought to give to every man who owes allegiance to the American flag the right to be a citizen of a State, of a district or a Commonwealth associated with the United States of America.

I hope you will adopt this amendment and make it possible to include within the boundaries of Hawaii all of the American islands in the Pacific, and thereby to take away from this Congress the power to create another state in the Pacific Ocean. I hope the members of the Committee will be willing to accept this amendment.

The CHAIRMAN. For what purpose does the gentleman from Colorado rise?

Mr. ASPINALL. Mr. Chairman, I rise in support of my point of order.

The CHAIRMAN. The Chair will hear the gentleman.

Mr. ASPINALL. Mr. Chairman, my point of order is this: Rule 16, clause 7 provides that—

> No motion or proposition on a subject different from that under consideration shall be admitted under color of amendment.

This is our familiar rule of germaneness.

The bill with which we are dealing, S. 50, deals with the immediate admission of a new State into the Union, subject only to a proclamation by the President that certain essential conditions precedent have been fulfilled. Subsection (a) of the amendment offered by the gentleman from Texas deals with a different subject. It deals with the enlargement of that State at some indefinite time in the future under totally different circumstances. Moreover, it deals with that subject only in a hypothetical way. It presupposes that some other area will ask to be admitted as part of the State of Hawaii. These proposals are not germane to the subject of the bill before us or to the subject of the section of the bill which it is proposed to amend. And they are of doubtful constitutionality. I read from article IV, section 3 of the Constitution:

> SEC. 3. New States may be admitted by the Congress into this Union; but no new State shall be formed or erected within the jurisdiction of any other State; nor any State be formed by the junction of two or more States, or parts of States, without the consent of the legislatures of the States concerned as well as of the Congress.

Subsection (b), in addition, anticipates that these island areas may, at some future time, seek to become a separate State. It provides that they may become such if they so vote, and if the State of Hawaii consents, and if the Congress agrees. This situation is entirely foreign to the purposes of S. 50. The amendment is not germane and is contrary to the ruling of Mr. Speaker Orr recorded in 5 Hinds 5529 and Mr. Speaker Carlisle recorded in 5 Hinds 5837.

I shall read the decision by Speaker Carlisle on a bill for the admission of one Territory. The amendment provided also for the admission of several other Territories. It was held not to be germane:

> On January 17, 1889, the House was considering a bill of the Senate providing for the admission of the Territory of Dakota into the Union. The consideration of the bill was governed by a special order, which specified that the bill of the House (H.R. 8466) might be offered as a substitute. Instead of this bill, however, there was offered by Mr. William M. Springer, of Illinois, a substitute different in form and containing, with a provision relating to Dakota other provisions providing for the admission of Montana, Washington, and New Mexico.
>
> Mr. Julius C. Burrows, of Michigan, made the point of order that the proposed amendment was not germane.
>
> After debate the Speaker held:
>
> "When the gentleman from Michigan made the point of order, the Chair supposed that the gentleman from Illinois had offered as a substitute the bill H.R. 8466, which is the bill mentioned in the order made by the House. Of course, if the gentleman has not offered that bill, the question which the Chair proposed to submit to the House has not yet arisen. The Chair supposes that a mere technical difference between the two bills would not be material—for instance, a correction of a mere clerical error, or something of that sort. But it seems that the proposed substitute now offered by the gentleman from Illinois contains provisions of a substantial character and not contained in the original House bill. The Chair thinks, therefore, that the order does not apply to it, and believes that in accordance with the practice of the House and its rules, even since the House overruled its own decision in the case of California, that this substitute is not in order under the rules. The Chair holds therefore, that the substitute sent to the desk by the gentleman from Illinois does not come within the terms of the order made by the House, and hence is not in order under the rules and practice of the House."

Mr. Chairman, it has been well said by a distinguished presiding officer of this House that "The fundamental purpose of the amendment must be germane to the fundamental purpose of the bill" (8 Cannon 2911) before the amendment can be considered. This is the test and this is the rule by which the proposed amendment fails.

For these and other reasons—reasons such as the usual rule forbidding enlargement of the scope of a bill by an amendment—see, for instance, 8 Cannon 2913, 2914, 2915, 2918—I object to the amendment that has been offered.

The CHAIRMAN (Mr. KILDAY). May the Chair inquire if the occasion the gentleman referred to, and the decision, was one involving a bill providing for the admission of one State and the substitute provided for the admission of an additional State or additional States?

Mr. ASPINALL. That is correct. It also provided for the determination of the question of statehood over areas which were not in the original bill.

The CHAIRMAN. The Chair thanks the gentleman. The Chair will now hear from the gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Chairman, basically the amendment which has been offered is one that changes the boundaries of the proposed State of Hawaii. The boundaries of the State of Hawaii are defined in the legislation before us. Certainly it is one of the subject matters presently before this House.

What are the boundaries of the area that we are bringing into the Union? Surely these boundaries are subject to change by amendment. Now, I take it certain of the boundaries may be established on time and certain of the boundaries may be established at a different time so long as it is done by or under the direction of this Congress. That has been done in the amendment. It was done in the case of numerous of the Western States when we did not have actual accurate maps of all of the areas at the time they were admitted. I am under the impression it was done at the time of the admission of the State of Maine. It was done at the time of the admission of the State of Texas. It has been done repeatedly. And, it can be done with the admission of the State of Hawaii.

We are therefore, by this amendment, fixing a different set of boundaries from those that were outlined in the original bill. We are providing that some of those boundaries shall be in effect today; that others of them shall be in effect at future dates upon the happening of future events. I therefore submit that the amendment is in order.

The CHAIRMAN (Mr. KILDAY). The Chair is prepared to rule.

The gentleman from Texas [Mr. POAGE] has offered an amendment which has been read at the Clerk's desk. The gentleman from Colorado [Mr. ASPINALL] has made a point of order against the amendment that it is not germane to the bill.

In ruling on the first portion of the amendment, the Chair will point out that it seeks to add additional language to the last sentence of section 2 of the bill. Section 2 of the bill and the sentence to which it is proposed to add language deals with the boundaries of the new State of Hawaii to be admitted

under this bill, and the language of the proposed amendment likewise deals with the boundaries of the State to be admitted. As to paragraph B of the proposed amendment, the Chair would point out that this language would grant to the new State of Hawaii a right over land not included within the boundaries proposed in this bill but land outside of the boundaries, so that it would be granting to the new State of Hawaii a right over those lands which she does not now possess and would be one of the conditions on which she is admitted.

The Chair is constrained to hold that the amendment is germane to the bill and overrules the point of order.

Mr. O'BRIEN of New York. Mr. Chairman, I rise in opposition to the amendment.

Mr. STRATTON. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman from New York.

Mr. STRATTON. Before the gentleman speaks in opposition to the amendment, I would like to say, as a colleague of the gentleman from New York, that as we move forward this afternoon toward this historic occasion whereby we give positive evidence to the Communist world that America is indeed still growing, I would like to pay particular tribute to my colleague and friend, the gentleman from New York [Mr. O'BRIEN] for the tremendous job which he has done in steering this bill through the various stages of the legislative process in this House. We in New York State are proud of the gentleman from New York for the job that he is doing in Congress, not only in connection with this bill but also for what he did last year in connection with the incorporation of Alaska into the Union. And we in New York are proud of the constructive and nonpartisan leadership which he has demonstrated in this House. I might say that if the gentleman from New York never does anything else in his legislative career—and I know that he will in fact do many more great things here—what he has done in connection with the Hawaii and Alaska statehood legislation will carve for him a real and lasting niche not only in the history of this body but of the Nation.

Mr. O'BRIEN of New York. I thank the gentleman.

Mr. Chairman, the Chair has disposed of the germaneness of the amendment offered by the gentleman from Texas. I would like to discuss its merits. May I say quite frankly that while the gentleman indicated he might or even would vote for the statehood bill if the amendment were included therein, as far as I am concerned, the price is entirely too high.

The gentleman testified eloquently and with great ability before our committee. He proposed this very plan that is now before the Committee. It was not offered in committee by a single member of the committee nor was it discussed by the committee itself. It is my honest belief that if you want to kill the statehood bill, here is the test because, in effect, the amendment offered by the gentleman from Texas would bestow upon the Legislature of the new State of Hawaii the biggest legislative broom in history. They could reach out into the Pacific and make part of their State Guam. They could take the Trust Territories. They could have the strangest combinations possible. They would run into a situation where they might assert their right to a Trust Territory at the very moment that it was ceasing to be a Trust Territory. This would be too great a burden for any State to assume, let alone a new State. I hope that the Committee will reject the amendment.

Mr. POAGE. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield to the gentleman.

Mr. POAGE. I believe the gentleman misunderstood the amendment. It does not give Hawaii the right to reach out and bring anything in. It simply says that before you could admit those areas into any other State, the Legislature of Hawaii would have to join in the agreement. It does not bring anything in to Hawaii.

Mr. O'BRIEN of New York. It certainly would give, in a fashion, the new State of Hawaii absolute control over the ultimate destiny, no matter what it might be, of these assorted islands, big and small. We would get into the most confusing international situation that I can imagine if we adopted this amendment.

Mr. POAGE. Mr. Chairman, will the gentleman yield further?

Mr. O'BRIEN of New York. Gladly.

Mr. POAGE. The amendment specifically provides that only the Congress of the United States can submit the referendum to the people of the other islands, and then only that they can become a part of Hawaii. It does not require any action on the part of the Hawaiian Legislature, but if the Congress should decide it wanted to create them into another State, it would have to have the consent of the Hawaiian Legislature, and only in that event. The purpose of that is to prevent the creation of another State, to say that they may be admitted to Hawaii, but not as another State at some future time.

Mr. ASPINALL. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of New York. I yield.

Mr. ASPINALL. I am certain the gentleman did not wish to mislead the Committee. We did have this matter before the committee. It was proposed by the gentleman from New Mexico [Mr. MORRIS]. It was voted upon, and with the exception of two or three votes, it was refused by the committee.

Mr. O'BRIEN of New York. I thank the gentleman. He has refreshed my recollection. I think that makes it even more important to reject this amendment, because it was considered by the committee in Congress with the most intimate knowledge of this area, which has specific jurisdiction of these various areas in a legislative way. They considered the amendment, took into consideration the persuasive ability of the gentleman from Texas, and then voted it down.

I say that we would alter the whole face of this bill if we adopted this amendment.

Mr. HOFFMAN of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the argument just made by the gentleman from New York [Mr. O'BRIEN] in opposition to the amendment offered by the gentleman from Texas [Mr. POAGE] boiled down, is that it would give Hawaii when admitted altogether too much authority and make it too big in area. Have we learned anything from tradition or history? If we have it is that nations are formed, grow, become so large, expand to such an extent that finally they fade out of the world picture.

In even our domestic affairs we have found it necessary to curb bigness as represented in monopolies.

The last few years this country of ours has been attempting to extend its influence throughout the world to tell the people in all the rest of the world and all the other nations what they should do. Yes, and on occasion what they should think. That is quite a job. It does seem to some that perhaps we should, before we tell other people what to do, set our own house in order—insure freedom in all parts of the world, establish it here.

If freedom of the individual be one of our goals, one of the purposes of our Government, it might be well to consider what has happened here. How the citizen is denied freedom, where freedom of the individual—the exercise of which harmed no one—has, by the U.S. Supreme Court, been denied the individual.

In the Apex Hosiery case, decided by the U.S. Supreme Court on May 27, 1940 (310 U.S. 469), the U.S. Supreme Court, in a suit for damages held that damages were not recoverable by the company from a labor union seeking to unionize the company's employees by violence and destruction of property, because the Sherman Antitrust Act did not apply to unions—that unions were exempt from Federal prosecution under that act.

Chief Justice Hughes, writing a dissenting opinion, concurred in by Mr. Justice McReynolds and Mr. Justice Roberts, among other things said:

> When the union demanded a closed shop agreement and, on its refusal, declared the strike, only 8 of the company's 2,500 employees were members of the union. The company's plant was seized and held for several weeks. Its machinery and equipment were "wantonly demolished or damaged to the extent of many thousands of dollars."
>
> There was not merely a stoppage of production, but there was also a deliberate prevention of the shipment of finished goods to customers outside the State.

In the final paragraph of the dissenting opinion, there is this statement:

> Once it is decided, as this Court does decide, that the Sherman Act does not except labor unions from its purview, once it is decided, as this Court does decide, that the conduct here shown is not within the immunity conferred by the Clayton Act, the Court, as it seems to me, has no option but to apply the Sherman Act in accordance with its express provisions.

In a case decided the next year—that of *U.S.* v. *Hutcheson* (312 U.S. 219), the Court held that strikes in restraint of trade, the purpose of which was to en-

force a secondary boycott, were not a conspiracy in violation of the Sherman law.

Here, again, Justice Roberts dissenting, and with his opinion Chief Justice Hughes concurred, pointed out that the Court was in error in holding that "because Congress forbade the issuing of injunctions to restrain certain conduct it intended to repeal the provisions of the Sherman Act authorizing actions at law and criminal prosecutions for the commission of torts and crimes defined by the antitrust laws" and added that the decision was radical legislation by the Court "where Congress has refused to do so."

In the case of *Bradley* v. *Local Union No. 3* (325 U.S. 797), decided in 1945, the Court, after holding that the Electrical Workers Union, through agreements with employers, had established a monopoly in the sale and servicing of electrical equipment in New York City, referring to the said union, said:

It intended to and did restrain trade and monopolize the supply of electrical equipment in the New York City area to the exclusion of equipment manufactured in and shipped in from other States, and did also control its price and discriminate between its would-be customers.

The Court stated the question this way:

Our problem in this case is therefore a very narrow one—do labor unions violate the Sherman Act when, in order to further their own interests as wage earners, they aid and abet businessmen to do the precise things which that act prohibits?

Among other things, the Court said:

Seldom, if ever, has it been claimed before, that by permitting labor unions to carry on their own activities, Congress intended completely to abdicate its constitutional power to regulate interstate commerce and to empower interested business groups to shift our society from a competitive to a monopolistic economy.

Then, by way of excuse, the Court said:

This, it is argued, brings about a wholly undesirable result—one which leaves labor unions free to engage in conduct which restrains trade. But the desirability of such an exemption of labor unions is a question for the determination of Congress.

Here, again, Justice Roberts dissented, as did Mr. Justice Murphy. Among other things, Justice Roberts wrote—page 814:

Unless I misread the opinion, the union is at liberty to impose every term and condition as shown by the record in this case and to enforce those conditions and procure an agreement from each employer to such conditions by calling strikes, by lockout, and boycott, provided only such employer agrees for himself alone and not in concert with any other.

* * * The course of decision in this Court has now created a situation in which by concerted action, unions may set up a wall around a municipality of millions of inhabitants against importation of any goods if the union is careful to make separate contracts with each employer, and if the union and employers are able to convince the Court that, while all employers have such agreements, each acted independently in making them—this notwithstanding the avowed purpose to exclude goods not made in that city by the members of the union; notwithstanding the fact that the purpose and inevitable result is the stifling of competition in interstate trade and the creation of a monopoly.

By its decision, the Supreme Court of the United States had decided that—page 819:

This Court, as a result of its past decisions, is in the predicament that whatever it decides must entail disastrous results.

These three decisions show how the freedom of the citizen has been destroyed by the Court. How a monopoly for certain union members has been established.

Today in New York State you cannot install and get electric equipment serviced so that you can use it unless it is manufactured by employees who belong to one union or serviced by members of a specified union. Why insist on freedom for people of other nations while denying it to our own citizens? That is the situation here in America today. Carry freedom to the people here, but don't linger on the way to dole out a little to the woman or man who, here at home, would like to work without paying tribute to a union boss.

One more example, and I will make it very, very brief. This is one you have heard so much about recently, about the farmer in the Fourth Congressional District of Michigan, Stanley Yankus, who grew and used wheat on land which he owns. What for? So that some producers of cotton, corn, rice, tobacco, peanuts, and wheat might get more for what they had to sell. Taking from one group and giving to another. He did not sell a kernel of the wheat he grew. He fed it all to his chickens.

In addition he purchased wheat on the open market. He reduced the surplus. Yet he was fined something like $5,000.

I know the fate of this bill. But let me tell you what one veteran thinks about freedom here at home. This letter is dated March 3, 1959:

DEAR SIR: Enclosed please find my endorsed World War II disability compensation check. This is to help pay the fine of Stanley Yankus for the crime of being an American. Each month as these checks come in I shall forward them to you for the above purpose, as the present state of justice and government for the people is far more disabled than I.

L. M. KNOWLES.

ROYAL OAK, MICH.

Here is a photostat of the check, for $19 and some cents, from the disabled veteran:

No. 2,786,012

CLEVELAND, OHIO,
February 28, 1959.

Treasurer of the United States: Pay $19 to the order of Loren M. Knowles, 1109 East Fifth Street, Royal Oak, Mich.

———— ————,
Regional Disbursing Officer.

(For Stanley Yankus fund.)

When Russia aside from our own country, is the only country trying to take over the rest of the world, when France, Great Britain, Belgium, and other countries have been relinquishing the authority they had over outlying territory, colonies, why should we follow down the road of bigness and ruin ourselves, fade out as did the nations of other days? Why expand until we fall apart? I cannot go along with a policy which I believe will destroy us as a Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. POAGE].

The amendment was rejected.

Mr. McCORMACK. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, the 86th Congress in the passage of this bill will go down in history as an historic Congress, just the same as the 85th Congress by its passage of the Alaskan statehood bill will always be recorded in history as an historic Congress. So we are going to culminate a very historic event today in the life of our country.

In connection with that, I want to compliment the chairman and all the members on the Committee on Interior and Insular Affairs, not only those who favor the bill but those who oppose it, because those who opposed it did so constructively from their angle, and they did not engage in any dilatory tactics.

I particularly want to compliment the distinguished gentleman from New York [Mr. O'BRIEN] because he, with another distinguished gentleman in the other body, that fine Senator from Montana, "JIM" MURRAY, will go down in history as two men who are the coauthors of two bills admitting States into the Union, Alaska and Hawaii.

The gentleman from New York [Mr. O'BRIEN] and "JIM" MURRAY, and no finer man did God ever make than JIM MURRAY, and that includes the gentleman from New York [Mr. O'BRIEN], will occupy a position in the history of our country, in my opinion, that no other Member of Congress will ever occupy in the future and that no Member has ever occupied in the past. They are the coauthors of bills that became law bringing two separate States into the Union of our country.

I also want to compliment the leadership in the other body for the outstanding manner in which the leadership has acted in bringing about the early passage of this bill in the Senate in a period of about 4 or 5 hours, and also in a period of 2 days bringing about the passage of three important bills—one, the authorization bill in relation to the outer space agency, known as NASA, the extension of the draft, and also the passage of this historic measure. That is the kind of leadership the country needs. The country needs firm leadership, good leadership, progressive-looking leadership, a leadership that recognizes responsibility and rises to the occasion. The kind of leadership that is weak and uncertain is properly subject to criticism, but a leadership that is fair and honest, decent and tolerant, firm and effective, and which produces results is the kind of leadership that should be complimented. I particularly refer to that great leader and great American, the senior Senator from Texas [Mr. JOHNSON].

Mr. Chairman, I rise to compliment the House on the passage of this historic measure and also to pay my respects to the chairman and all the members of this great committee as well as to compliment the other body and the leadership of the other body in the outstanding work that they have done.

Mr. ROGERS of Texas. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have only one question to ask. There has been extended debate here concerning communism, but there is this one question I would like to ask of the distinguished chairman who has had control of this bill. The gentleman filed a report over his name in which he admitted that the union that has leaders in it who are members of the Communist Party had control of the economy of Hawaii, and I heard the distinguished gentleman from Pennsylvania who has done such great work against the Communist menace in this country, say that same thing was true and that he also found that. Then they undertook to take the position that the granting of statehood to Hawaii would provide the means by which you could combat that Communist menace. I think the record ought to be clear here during this debate as to where the responsibility lies at the present time for the failure to effectively combat communism in the Hawaiian Islands up to this date. I sincerely hope that the chairman of the committee or someone can answer that question for us.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield.

Mr. EDMONDSON. The gentleman is aware of the fact that the report to which he makes reference calls attention to the passage of a dock seizure bill by the Legislature of Hawaii in 1949 which was stoutly resisted by the ILWU and the Communist element and which they have been trying to repeal ever since its passage, but without success.

Mr. ROGERS of Texas. That is not the question I asked. The fact of the matter is it was stated there has been no effective combating of the Communist situation in Hawaii up to date. I think we ought to know who is responsible for the failure up to date. Is it this Congress who is responsible or who is responsible for not having done something up to this date? I yield to the chairman because I think he is the one who ought to be permitted to answer that question in view of the report that he filed.

Mr. O'BRIEN of New York. Mr. Chairman, the report by the committee which visited Hawaii did not say that nothing was being done to combat communism in Hawaii. In fact, the very strength of our report was based upon what they were doing, and what they are doing in Hawaii. We were told by the highest authorities and the people responsible for security that the Communist apparatus there had become ineffective. We know of our own knowledge that the punishment meted out to the Communists there was punishment meted out by the people of Hawaii and by a Hawaiian jury, and these people escaped jail by a decision outside of the islands.

Mr. ROGERS of Texas. Mr. Chairman, I do not yield further, because the gentleman is not answering my question. If that is true the ILWU still has control of the economy of Hawaii.

Mr. O'BRIEN of New York. May I say to the gentleman, if he has asked me that question, that as far as the security of the United States is concerned that control to whatever extent it may be is just as serious to us whether Hawaii is a Territory or a State; but we believe that with statehood they can combat it even better than they are now doing.

Mr. PILLION. Mr. Chairman, will the gentleman yield?

Mr. ROGERS of Texas. I yield to the gentleman from New York.

Mr. PILLION. Does the gentleman from Texas know that within the past month Mr. Hall, the Communist director of the ILWU, joined with Mr. Charles Kuomi, a member of the House of Representatives in Hawaii, and other radical ILWU members of the lower house of that legislature, and the whole membership of the Republican Party, to depose and get rid of the Democratic speaker, Mr. Esposito? And that the speaker who replaced that gentleman is now a creature of Mr. Hall and Mr. Kuomi? He was a leader of the Communist Party and the gentleman they put in as speaker sent a gavel to Mr. Bridges to open up the ILWU convention in San Francisco, and they now control the lower body of the House of Representatives in the Legislature of the Territory of Hawaii.

Mr. ROGERS of Texas. I thank the gentleman from New York.

The CHAIRMAN. Under the rule the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. KILDAY, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 50) to provide for the admission of the State of Hawaii into the Union, pursuant to House Resolution 205, he reported the bill back to the House.

The SPEAKER. Under the rule the previous question is ordered.

The question is on the third reading of the bill.

The bill was read a third time.

The SPEAKER. The question is on the passage of the bill.

Mr. PILLION. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. PILLION. I am.

The SPEAKER. The gentleman qualifies. The Clerk will report the motion.

The Clerk read as follows:

Mr. PILLION moves that the bill S. 50 be recommitted to the Committee on Interior and Insular Affairs.

Mr. KILDAY. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

Mr. ROGERS of Texas. Mr. Speaker, on that I ask for the yeas and nays.

The yeas and nays were refused.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. O'BRIEN of New York. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken and there were—yeas 323, nays 89, not voting 22, as follows:

[Roll No. 11]

YEAS—323

Adair	Dwyer	Machrowicz
Addonizio	Edmondson	Mack, Ill.
Albert	Everett	Mack, Wash.
Andersen, Minn.	Evins	Madden
	Fallon	Magnuson
Anderson, Mont.	Farbstein	Mailliard
	Fascell	Marshall
Anfuso	Feighan	May
Arends	Fenton	Meader
Ashley	Fino	Merrow
Aspinall	Flood	Metcalf
Auchincloss	Flynn	Meyer
Avery	Fogarty	Michel
Ayres	Foley	Miller, Clement W.
Bailey	Forand	
Baker	Fountain	Miller, George P.
Baldwin	Friedel	
Baring	Fulton	Miller, N.Y.
Barr	Gallagher	Milliken
Barrett	Garmatz	Minshall
Barry	Gavin	Mitchell
Bass, N.H.	George	Moeller
Bass, Tenn.	Giaimo	Monagan
Bates	Glenn	Montoya
Baumhart	Granahan	Moorhead
Becker	Gray	Morgan
Beckworth	Green, Oreg.	Morris, N. Mex.
Belcher	Griffin	Morris, Okla.
Bennett, Fla.	Griffiths	Moss
Bentley	Gross	Moulder
Berry	Gubser	Multer
Betts	Hagen	Murphy
Blatnik	Halleck	Natcher
Boggs	Halpern	Nelsen
Boland	Harmon	Norblad
Bolling	Hays	O'Brien, Ill.
Bosch	Healey	O'Brien, N.Y.
Bow	Hébert	O'Hara, Ill.
Bowles	Hechler	O'Hara, Mich.
Boykin	Hemphill	O'Konski
Boyle	Henderson	O'Neill
Brademas	Herlong	Oliver
Bray	Hiestand	Osmers
Breeding	Hoeven	Ostertag
Brewster	Hogan	Passman
Brock	Holifield	Pelly
Broomfield	Holland	Perkins
Brown, Mo.	Holt	Pfost
Brown, Ohio	Holtzman	Philbin
Buckley	Horan	Pirnie
Budge	Hosmer	Poage
Burdick	Irwin	Porter
Burke, Ky.	Jackson	Powell
Burke, Mass.	Jarman	Price
Bush	Jennings	Prokop
Byrne, Pa.	Jensen	Pucinski
Byrnes, Wis.	Johnson, Calif.	Quie
Cahill	Johnson, Colo.	Quigley
Canfield	Johnson, Md.	Rabaut
Carnaham	Johnson, Wis.	Randall
Carter	Jones, Mo.	Reece, Tenn.
Cederberg	Judd	Rees, Kans.
Chamberlain	Karsten	Reuss
Chelf	Karth	Rhodes, Ariz.
Chenoweth	Kasem	Rhodes, Pa.
Chiperfield	Kastenmeier	Riehlman
Church	Kearns	Rivers, Alaska
Clark	Kee	Rivers, S.C.
Coad	Keith	Robison
Coffin	Keogh	Rodino
Cohelan	King, Calif.	Rogers, Colo.
Collier	King, Utah	Rogers, Fla.
Conte	Kirwan	Rogers, Mass.
Cook	Kluczynski	Rooney
Corbett	Kowalski	Roosevelt
Cramer	Lafore	Rostenkowski
Cunningham	Lane	Roush
Curtin	Langen	St. George
Curtis, Mass.	Lankford	Santangelo
Daddario	Latta	Saund
Daniels	Lesinski	Saylor
Davis, Tenn.	Levering	Schenck
Dawson	Libonati	Schwengel
Delaney	Lindsay	Scott
Dent	Lipscomb	Shelley
Derounian	Loser	Sheppard
Derwinski	McCormack	Shipley
Devine	McCulloch	Simpson, Ill.
Diggs	McDonough	Simpson, Pa.
Dingell	McDowell	Sisk
Dollinger	McFall	Slack
Dooley	McGinley	Smith, Calif.
Donohue	McGovern	Smith, Iowa
Dorn, N.Y.	McIntire	Spence
Doyle	McMillan	Springer
Dulski	McSween	Staggers
Durham	Macdonald	Steed

Stratton	Ullman	Westland
Stubblefield	Utt	Whitener
Sullivan	Vanik	Widnall
Teague, Calif.	Van Pelt	Wier
Teague, Tex.	Van Zandt	Wilson
Teller	Wainwright	Withrow
Thompson, N.J.	Wallhauser	Wolf
Thompson, Tex.	Walter	Wright
Thomson, Wyo.	Wampler	Yates
Toll	Watts	Younger
Tollefson	Weaver	Zablocki
Udall	Weis	Zelenko

NAYS—89

Abbitt	Gary	Patman
Abernethy	Gathings	Pilcher
Alexander	Grant	Pillion
Alford	Haley	Poff
Alger	Hardy	Polk
Allen	Harris	Preston
Andrews	Harrison	Rains
Ashmore	Hess	Ray
Barden	Hoffman, Ill.	Riley
Bennett, Mich.	Hoffman, Mich.	Roberts
Blitch	Huddleston	Rogers, Tex.
Bonner	Hull	Rutherford
Brooks, La.	Ikard	Scherer
Brooks, Tex.	Johansen	Selden
Brown, Ga.	Jonas	Short
Broyhill	Jones, Ala.	Sikes
Burleson	Kilburn	Siler
Casey	Kilday	Smith, Kans.
Colmer	Kilgore	Smith, Miss.
Cooley	Kitchin	Taber
Dague	Knox	Thomas
Davis, Ga.	Lennon	Thornberry
Dorn, S.C.	Mahon	Trimble
Dowdy	Mason	Vinson
Downing	Matthews	Wharton
Elliott	Mills	Whitten
Fisher	Moore	Williams
Flynt	Mumma	Winstead
Forrester	Murray	Young
Frazier	Norrell	

NOT VOTING—22

Bolton	Green, Pa.	Nix
Cannon	Hall	Smith, Va.
Celler	Hargis	Taylor
Curtis, Mo.	Kelly	Thompson, La.
Denton	Laird	Tuck
Dixon	Landrum	Willis
Ford	Martin	
Frelinghuysen	Morrison	

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Martin for, with Mr. Smith of Virginia against.

Mr. Celler for, with Mr. Thompson of Louisiana against.

Mr. Green of Pennsylvania for, with Mr. Willis against.

Mr. Morrison for, with Mr. Landrum against.

Mr. Ford for, with Mr. Tuck against.

Until further notice:

Mrs. Kelly with Mr. Curtis of Missouri.
Mr. Denton with Mrs. Bolton.
Mr. Nix with Mr. Frelinghuysen.
Mr. Hall with Mr. Dixon.
Mr. Hargis with Mr. Laird.
Mr. Cannon with Mr. Taylor.

Mr. DONOHUE changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The bill, H.R. 4221, was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. CANNON. Mr. Speaker, I was in the well and I ask that my name be recorded as voting in the affirmative.

The SPEAKER. The gentleman cannot be recorded after the announcement of the vote unless he voted during the rollcall.

Mr. CANNON. Mr. Speaker, I ask unanimous consent that the RECORD be revised. I was standing here in the well.

The SPEAKER. The gentleman cannot be recorded by unanimous consent, if he did not vote. If the gentleman voted and wants to correct the RECORD and say that he is not recorded, he may do that but he cannot be recorded as voting if he did not vote.

Mr. CANNON. Mr. Speaker, I should have been recorded.

GENERAL LEAVE TO EXTEND

Mr. O'BRIEN of New York. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks in the RECORD on the bill, S. 50.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. RABAUT. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight tomorrow night to file a report on the District of Columbia appropriation bill for the fiscal year 1960.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BOW. Mr. Speaker, I reserve all points of order on the bill.

PUERTO RICO, NEXT STATE IN THE UNION?

Mr. ANFUSO. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes and to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. ANFUSO. Mr. Speaker, now that favorable action has been taken by the Congress to admit Hawaii into the Union as the 50th State, I submit the proposal that at the earliest possible occasion Congress should give consideration to the granting of statehood to another U.S. Territory which unquestionably deserves this recognition and meets all the criteria required for statehood. I refer, of course, to Puerto Rico.

Contrary to the prevailing opinion in the United States, a great majority of the people of Puerto Rico believe that the island merits statehood and they advance persuasive arguments in support of their views.

But first I wish to cite some facts about Puerto Rico. Our relationship with the island began in 1898 when Puerto Rico was formally ceded to the United States under the Treaty of Paris of that year. In 1900, Congress passed the first organic act reestablishing civil rule in the island and granting to its people the right to protection by the United States, including free trade, tariff protection and financial assistance. In 1917, Congress passed the second organic act granting U.S. citizenship to the people of Puerto Rico. As a result of the latter act, many Puerto Ricans have come to our shores and have become our neighbors.

Puerto Rico is now an autonomous Commonwealth voluntarily associated with the United States. On June 4, 1951, the Congress of the United States approved Public Law 600 to grant self-government to the people of Puerto Rico. On July 25, 1952, the new Puerto Rican regime was officially proclaimed and a constitution was drawn up setting up the Commonwealth of Puerto Rico.

Mr. Speaker, a paramount reason for the admission of Puerto Rico into the Union is the fact that a number of our legislators in the past, as well as both major political parties, have at various times urged eventual statehood for Puerto Rico. It will interest my colleagues to know that as long ago as March 9, 1900, Senator Lindsay, of Kentucky, declared as follows:

> Puerto Rico is essentially an American country. It lies almost within sight of our southern shores; and while its term of Territorial probation may necessarily be an extended one, there is no reason, in its geographical situation, in its industries, in its products, or in the character of its inhabitants that precludes it at some future time from being admitted into the Union as an American State.

These words sound almost prophetic today in the light of events.

A second argument in favor of statehood is that the platforms of both the Democratic and Republican Parties have in the past on various occasions called for eventual statehood for Puerto Rico. I prefer to believe that these political testimonials were not merely empty gestures but constituted a reflection of the sentiment of the American people.

Third, is the argument based on Puerto Rico's geographic position as it fits into the picture of strategic defense. I should like to ask my colleagues to look at the map of the Western Hemisphere. One of the most striking things as you look at the map is the location of Puerto Rico right in the center as the gateway from the Atlantic to the Caribbean Sea, and directly athwart of the approaches to the Panama Canal. The more you look at that location of Puerto Rico, the more you will become impressed with its strategic location and its major importance to the defense of our country, the Panama Canal, and the whole Western Hemisphere.

Finally, I submit the argument that the admission of Puerto Rico is amply justified by other important considerations, such as its economic growth and development, the adequacy of population, its financial stability, and similar requirements which the island meets most satisfactorily. In population, for example, Puerto Rico is far larger than that of any U.S. Territory at the time of its admission into the Union. According to the census of 1950, Puerto Rico's population at that time was 2,210,703, a figure almost 4½ times as that for Hawaii and more than 17 times as large as that of Alaska.

Puerto Rico's population is equal to or greater than 24 of our States: Maine,

Vermont, New Hampshire, Rhode Island, Connecticut, North Dakota, South Dakota, Kansas, Nebraska, Delaware, West Virginia, South Carolina, Mississippi, Arkansas, Oklahoma, Montana, Idaho, Wyoming, Colorado, New Mexico, Arizona, Utah, Nevada, and Oregon.

The composition of its population should also be of interest to us. The 1950 census lists 1,762,411 whites, 446,948 Negroes, and 1,344 of other races. Puerto Rico's population is further classified as follows: Urban, 894,813; rural, 1,315,890. Thus, it is primarily a rural-agricultural community raising coffee, sugarcane, and other products which are not competitive with those raised on the U.S. mainland.

In the financial and economic spheres, Puerto Rico's progress in recent years has been phenomenal. Some 300 new industries have been established in the island in the past decade. The total annual production of Puerto Rico is over a billion dollars, which is a highly respectable figure for a community chiefly agrarian and small industry, and aslo compares favorably with the production of many of our States.

As for its trade with the United States and other countries, I cite these figures for the year 1955, as taken from the Statistical Abstract of the United States:

Puerto Rican imports from the United States, $548 million.

Puerto Rican imports from other countries, $53,671,000.

Puerto Rican exports to the United States, $368,688,000.

Puerto Rican exports to other countries, $12,982,000.

Total imports, $601,681,000.

Total exports, $381,671,000.

By way of comparison, let me cite the figures for Alaska and Hawaii for the same year 1955 and from the same source:

Alaska's total imports, $2,217,563.

Alaska's total exports, $6,457,995.

Hawaii's total imports, $19,998,829.

Hawaii's total exports, $9,106,983.

And one other fact that I wish to point out. The area of Puerto Rico is 3,435 square miles, compared with 6,423 square miles for Hawaii. Puerto Rico is a little larger than half the size of Connecticut, or greater than the combined area of Delaware and Rhode Island.

I should like to mention briefly the patriotism and the loyalty shown by Puerto Ricans during World War II and the Korean war. They distinguished themselves with great valor and bravery in battle and earned wide admiration and appreciation of the American people and the whole free world.

Mr. Chairman, there is no doubt in my mind that Puerto Rico has ably demonstrated its eligibility and has met all the requirements for statehood. The people of Puerto Rico make good American citizens and are a valuable asset to our country in every phase of its activities. They are part and parcel of the fabric of America. Like millions of other Americans, our citizens of Puerto Rican descent are vitally interested in maintaining a higher standard of living, in education, in adequate housing, in proper standards of health, and, above all, they are interested in maintaining the United States and the Western Hemisphere as an area of freedom and a bulwark of democracy. They stand shoulder to shoulder with us in the current world struggle against communism.

In conclusion, I wish to state that while Puerto Ricans have received excellent treatment on the part of the American people, there have been rumblings in some quarters that they were still regarded as second-class citizens because of their Territorial status. Granting statehood to Puerto Rico would remove any doubt as to their status and would enable them to receive equal treatment and the enjoyment of all rights and privileges as all other Americans.

Now that Alaska and Hawaii have been admitted into the Union, I submit the proposal to the Congress to also consider Puerto Rico's admission. It is logical, it is desirable, it will enhance our position throughout all of Latin America.

DIVERSION OF WATER FROM LAKE MICHIGAN

The SPEAKER. The Chair recognizes the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. Mr. Speaker, I call up a privileged resolution (H. Res. 202) and ask for its immediate consideration.

The Clerk read as follows:

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1) to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes. After general debate, which shall be confined to the bill, and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. MADDEN. Mr. Speaker, I yield 30 minutes to the gentleman from Illinois [Mr. ALLEN] and yield myself such time as I may need.

The SPEAKER. The gentleman from Illinois is recognized.

Mr. MADDEN. Mr. Speaker, House Resolution 202 makes in order the consideration of H.R. 1, requiring a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes:

H.R. 1 would provide for a 3-year study by the Secretary of Health, Education, and Welfare and the Secretary of the Army of the effects of a diversion of Lake Michigan waters at Chicago in an amount of 1,000 cubic feet per second for a period of 1 year. The diversion would start 1½ years after funds were first made available for the study and would be completed a year later. The first year and a half and the last half year of the 3-year period would be used for field and office studies, evaluation of the findings and preparation of the report.

This bill is a modified version of legislation approved by the House in the last four Congresses. The principal modification in H.R. 1 is that it calls for a diversion of only 1 year, whereas the bills previously reported called for a diversion of 3 years.

The purpose of H.R. 1 would be to permit a test period of diversion to be evaluated in a study of its possible effects on the sewage treatment problem at Chicago. The bill is supported by the city of Chicago and others who are seeking a solution to the pressing pollution problem which exists in Chicago. All members of the Illinois delegation, both Republican and Democratic with the exception of one, are in favor of this bill.

After completing the study, the Secretary of Health, Education, and Welfare and the Secretary of the Army would correlate their findings and report to Congress on or before June 1, 1962. The report would contain their recommendations with respect to continuing the authority to divert water from Lake Michigan into the Illinois Waterway. Congressman THOMAS O'BREIN, the dean of the Chicago delegation, is deserving special commendation for the outstanding support he has given this legislation in this and previous sessions of the Congress.

The Public Works Committee has held extensive hearings on this subject during the past few years, and I urge the adoption of House Resolution 202 at this time.

Mr. FULTON. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Pennsylvania.

Mr. FULTON. What position does the administration take on this, the Department of the Interior?

Mr. MADDEN. I do not know what position they are taking on it in this session, but the President vetoed it I think session before last.

Mr. FULTON. Because of the 1-year limitation are they against this particular bill?

Mr. MADDEN. I will yield to the gentleman from Illinois [Mr. YATES] to answer the gentleman.

Mr. YATES. The 1-year limitation is a reduction from the previous bill which sought to obtain a 3-year diversion. The reduction was made at the suggestion of the administration last year.

Mr. FULTON. So, actually, the administration, then, has no opposition to the 1-year diversion, having vetoed a 3-year provision.

Mr. YATES. The administration has expressed itself through the Department of State and through the Bureau of the Budget as being in opposition to the bill.

Mr. ALLEN. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the rule now before us makes in order H.R. 1, a bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Water-

way for navigation, and for other purposes.

The author of the bill is my close friend, Hon. THOMAS J. O'BRIEN, of Chicago, one who has worked long and faithfully on this most meritorious bill.

Long hearings have been held before the Committee on Public Works, and it was favorably reported by that Committee. The Rules Committee, after holding hearings, has favorably reported it for House action.

While I am not in agreement, Canada and six Great Lakes States oppose it. Illinois is not one of the opposing States.

Canada and the opposing Great Lakes States contend that the additional diversion would do serious damage to navigation and power projects by lowering Great Lakes level. Supporters of the bill maintain that any damage would be extremely small.

This bill authorizes a diversion of an additional 1,000 cubic feet a second from Lake Michigan for a trial period of 1 year. Chicago now diverts an average of 1,500 cubic feet per second into the waterway for navigation and sanitary purposes, and uses about 1,600 cubic feet per second for domestic purposes. This also is discharged into the waterway.

I sincerely believe that after listening to debate, the great majority of the membership of the House will agree that this is a most meritorious bill, and will meet with your approval.

Mr. Speaker, it has been mentioned here that the President of the United States will veto this bill. It is true he has vetoed a bill along these lines, but not this identical bill.

Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. SPRINGER].

Mr. SPRINGER. Mr. Speaker, I have supported similar legislation to this in 3 previous years. I supported the legislation because I thought it was good legislation and would not do the harm it was claimed it would do by other States bordering on the Great Lakes, but, on the other hand, would do a great deal of good for the city of Chicago. I believe it is legislation in the general public interest.

Mr. ALLEN. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. DERWINSKI].

Mr. DERWINSKI. Mr. Speaker, on behalf of the residents of my district and the entire State of Illinois, and I can truthfully say in a theoretical sense, on behalf of all the citizens of the country, I wish to join my colleagues from Illinois in urging that the members of the House support H.R. 1 giving needed lake diversion for the Chicago metropolitan area in the State of Illinois an opportunity to be properly tested.

It is unfortunate that a measure so obviously in the public interest should be subject to gross misinterpretation by misguided opponents throughout the country. All that we are asking for in this measure is to authorize the Chicago Metropolitan Sanitary District to take an additional 1,000 cubic feet of water a second from Lake Michigan for a 1-year experimental period. This increased diversion would be a tremendous help to the disposal of sewage in the Chicago area and for navigation on the all-important Illinois inland waterway system.

I urge you to disregard the objections that have been raised to this measure including the obvious confusion that our State Department has in their knowledge of this issue. All the reliable research indicates that this 1-year experimental period will have no practical effect whatsoever on the water level of the Great Lakes.

I am positive, ladies and gentlemen of the House, that you will support the united stand of the Illinois representatives and vote for this practical, worthwhile, and necessary measure.

Mr. ALLEN. Mr. Speaker, I yield such time as he may desire to the gentleman from Ohio [Mr. FEIGHAN].

Mr. FEIGHAN. Mr. Speaker, I am opposed to adoption of this rule and the passage of H.R. 1. The minority report in opposition to H.R. 1 sets forth 14 cogent reasons in opposition to H.R. 1. The supplemental views of the gentleman from Ohio [Mr. SCHERER] present a clear analysis of the bill and the reasons why it should be rejected. The water level of Lake Erie is about 4 feet lower than it was 6 years ago. In 1952 the elevation of Lake Erie was 574.4 above sea level. Today it is 570.2. This low water level means that Cleveland must have additional dredging to accommodate the large ships that will soon be sailing on the Great Lakes. If the water level is lowered more, other very expensive rehabilitation programs will be necessary. Reduction of the water level of Lake Erie would greatly lessen cargo capacities of freighters. Reduction of the water level would very adversely affect the city of Cleveland because as a result of the diversion, the potential capacity of Cleveland's four water intake plants would be reduced about 2½ to 3½ million gallons a day. This in face of the fact that a serious problem already exists at two of the filtration plants where maximum extraction of water is required each summer. Ralph S. Locher, Cleveland law director, has stated that passage of this bill would endanger the city of Cleveland's domestic water supply.

I feel strongly that the fact that the city of Chicago, under the United States Supreme Court decision, may apply for and obtain relief if it can present and sustain persuasive arguments on its behalf, is sufficient guarantee to it that its rights are protected. I feel that it has a legal remedy and that any redress to which it is entitled will be given it if it is able to persuade the United States Supreme Court of the justice of its claims.

It is my opinion that the arguments presented in opposition to H.R. 1 are overwhelming. The city of Chicago is not in a position whereby it does not have any redress. There is the opportunity open to it to present its case to the U.S. Supreme Court in accordance with the procedure outlined in its decision.

I urge the defeat of this rule.

Mr. ALLEN. Mr. Speaker, I yield such time as he may desire to the gentleman from Michigan [Mr. BENTLEY].

Mr. BENTLEY. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BENTLEY. Mr. Speaker, I rise in opposition to the passage of H.R. 1, a bill to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes. I intend to confine my remarks this afternoon to a study of the probable effects this legislation, if passed and enacted into law, would have upon our relations with the Canadian Government. For that purpose, I include in my remarks at this point the text of a memorandum prepared for me by the Department of State and containing a review of the Canadian position on the proposed Chicago diversion.

MEMORANDUM

There has been a continuous diversion of waters from Lake Michigan at Chicago into the Mississippi watershed since January 17, 1900, when the Chicago drainage canal was opened. Five thousand cubic feet of water per second (an amount greater than that presently authorized) was diverted for purposes of navigation and sewage dilution by permit from the Secretary of War.

During the years 1922–26, various Great Lakes States filed suits in the U.S. Supreme Court to enjoin the diversion or to restrict diversion to an amount to be determined by the Court. The defendants were then diverting 8,500 cubic feet per second under a permit issued by the Secretary of War in 1925. The Supreme Court held in 1929 that the Secretary of War's authority was limited to permitting diversion for navigation in the Illinois Waterway and that it did not extend to diversion for sanitation purposes. In order to avoid health hazards, the Court decided that the reduction in diversion to an amount necessary only for navigation should be gradual to enable Chicago to construct sewage-treatment plants. Consequently, a decree was entered on April 21, 1930, authorizing Illinois and the Chicago Sanitary District to divert, in addition to whatever water was needed for domestic uses, no more than 1,500 cubic feet per second from Lake Michigan after December 31, 1938. That Supreme Court decree is still in effect.

In the 83d, 84th, and 85th Congresses legislation was introduced authorizing the Chicago Sanitary District to divert an additional 1,000 cubic feet per second for a period of 3 years, during which time studies were to be made of the effect of such increased diversion upon the level of Lake Michigan and upon navigation on the Great Lakes and the Illinois Waterway. The diversion bills passed the 83d and 84th Congresses, but were vetoed by the President. A similar bill in the 85th Congress failed to pass the Senate. In the present 86th Congress H.R. 1 and similar bills have been introduced providing for a 1-year additional diversion as part of a 3-year study.

The Government of Canada has made known to our Government at various times its views on the diversion legislation before the 83d, 84th, 85th, and 86th Congresses.

Two notes from the Canadian Embassy to the Secretary of State dated February 1 and March 10, 1954, objected to the bill before the 83d Congress. In the latter note, the

Canadian Government referred to article II of the Boundary Waters Treaty and stated:

"The terms of the last paragraph of that article clearly affirm the understanding that neither party to the treaty surrenders 'any right which it may have to object to any interference with or diversion of waters on the other side of the boundary the effect of which would be productive of material injury to the navigation interests on its own side of the boundary.' If the proposed increase in the diversion at Chicago were to take place, the Government of Canada would, in the circumstances described above, consider that there would be material injury to the navigation interests on its side of the boundary."

The Canadian note of March 10, 1954, concludes as follows:

"The Canadian Government wishes to draw attention once more to the fact that the Chicago diversion is one aspect of a matter now before the International Joint Commission and it is suggested that it would be in the best interests of Canada and the United States to allow the Commission to complete its study of this and related matters before any change in arrangements affecting the levels of the Great Lakes is authorized."

A third note, dated August 24, 1954, was sent by the Canadian Embassy to the Department of State. Attention was again drawn to the contents of its previous notes and the following statement was made:

"As mentioned in my previous two notes, the Canadian Government considers that the adoption of this measure would have an adverse effect on navigation in the Great Lakes and the St. Lawrence River. After careful consideration the Government of Canada has reached the conclusion that an increase in the diversion at Chicago by 1,000 cubic feet per second as provided in this legislation would in fact result in injury to navigation in boundary waters, particularly during cycles of low levels on the Great Lakes.

"It is the view of my Government, therefore, that the implementation of this proposed legislation would constitute a diversion of waters on the United States side of the boundary, the effect of which will be productive of material injury to the navigation interests on the Canadian side of the boundary. In these circumstances and in accordance with the right which is expressly reserved in article II of the Boundary Waters Treaty of 1909, I am instructed by my Government to make formal objection to the proposed increase in the diversion of the waters of Lake Michigan and to request that the United States Government take whatever measures may be appropriate to insure that this proposal is not implemented."

In his further note of February 13, 1956, the Canadian Ambassador stated in the concluding paragraph that—

"I am accordingly instructed to make clear that, in the view of the Canadian Government, the enactment of the proposed legislation would be prejudicial to the navigation and power interests of both countries."

An aide memoire of January 6, 1958, from the Canadian Embassy referred to "useful conversations between United States and Canadian officials" on July 9, 1957, on various aspects of the proposed diversion from the Great Lakes system.

"In considering the economics of alternative methods of improved waste disposal, it is assumed that full consideration will be given to the economic harm which may be done to navigation and hydroelectric generation in both countries by extended use of dilution methods.

"It is not possible to give a firm undertaking to provide flows of a particular volume through the existing Long Lac and Ogoki diversions to the Great Lakes Basin during the 3-year period envisaged by proposed United States legislation. However, if it were possible to offset part of the effects of the Chicago diversion by inflows from the Albany Basin in Canada, it would be equitable that an equivalent amount of water should remain available for use in hydroelectric power generation by the Ontario interests at St. Marys Falls, Niagara Falls and in the international section of the St. Lawrence River until the effects of the proposed temporary diversion will have ceased to be felt in the Great Lakes system.

"All rights under the provisions of the Boundary Waters Treaty of 1909 are specifically reserved."

In an aide memoire dated February 20, 1959, responding to a request from the United States Government dated February 9, 1959, the Canadian Government set forth its views on H.R. 1 and similar diversion bills being considered by the 86th Congress. A copy of this aide memoire and the United States request therefor are enclosed herewith for your information.

I also wish to include in my own remarks, Mr. Speaker, the text of the State Department's press release No. 136 dated February 24, 1959. This release contains the text of an exchange of aide memoires between the United States Government and the Canadian Government on increased diversion of water from Lake Michigan at Chicago.

The State Department today released the text of an exchange of aide memoires between the United States Government and the Canadian Government on increased diversion of water from Lake Michigan at Chicago.

The text of the U.S. aide memoire, sent to the Canadian Government on February 9, 1959, is as follows:

"The Canadian Government has, on various occasions in the past, furnished the Department of State with the Canadian views on proposed U.S. legislation aimed at increasing the diversion from Lake Michigan into the Illinois Waterway. The most recent comments of this nature were contained in an aide memoire received on January 6, 1958, from the Canadian Embassy in Washington.

"Once again this year, as in recent years, a considerable volume of legislation, looking to increased diversion from Lake Michigan at Chicago, has been introduced in the 86th Congress. Some of this legislation is similar to former legislation with regard to which Canadian views have previously been expressed. A number of other pending bills, however, such as H.R. 1, a copy of which is enclosed, call for a 1-year additional diversion period to be made as part of a 3-year study of the effect on Lake Michigan and on the Illinois Waterway of such an increased diversion.

"Congressional hearings on this legislation are scheduled to begin in the near future. During the course of these hearings, it is anticipated that the Department of State will be asked to submit a statement as to the present Canadian views. It is hoped, therefore, that the Canadian Government will be able to transmit to the Embassy at an early date, its views with respect to that proposed legislation which authorizes an additional 1,000 cubic feet of water per second to be diverted from Lake Micihgan into the Illinois Waterway for a period of 1 year as part of a 3-year study."

On February 20, the Canadian Government responded to the United States memorandum with the following aide memoire:

"On a number of occasions in the past, the Canadian Government has expressed its objections to proposals envisaging increased diversions of water from Lake Michigan at Chicago. Once again, and at the invitation of the Government of the United States through the United States Embassy's aide memoire of February 9, 1959, the Government of Canada is anxious to make known its views on legislative proposals now before Congress such as bill H.R. 1, which are intended to authorize an increased diversion of water from the Great Lakes Basin into the Illinois Waterway.

"While recognizing that the use of Lake Michigan water is a matter within the jurisdiction of the United States of America, it is the considered opinion of the Canadian Government that any authorization for an additional diversion would be incompatible with the arrangements for the St. Lawrence Seaway and power development, and with the Niagara Treaty of 1950, and would be prejudicial to navigation and power development which these mutual arrangements were designed to improve and facilitate.

"The point has been made repeatedly by Canada that every withdrawal of water from the basin means less depth available for shipping in harbors and in channels. Additional withdrawals would have adverse effects on the hydro-electric generation potential on both sides of the border at Niagara Falls and in the international section of the St. Lawrence River, as well as in the Province of Quebec, and would inflict hardship on communities and industries on both sides of the border.

"The Government of Canada therefore protests against the implementation of proposals contained in H.R. 1."

There is no question in my mind, Mr. Speaker, that this additional diversion authorized by H.R. 1 would set dangerous precedents in our relationships with Canada. I refer to the recent testimony of Robert Moses, chairman of the New York State Power Authority, on February 17 who said that if Chicago were allowed to take water from a system jointly shared with Canada, then Canada would have a basis for demanding that it be allowed to divert additional water from Niagara, the St. Lawrence, and the Columbia River Basin.

On March 3, the attorney general of the State of Michigan, Paul L. Adams, testified before the House Public Works Committee and referred to a State Department study entitled "Legal Aspects of the Use of Systems of International Waters," printed as Senate Document No. 118. He referred to certain principles contained in this study governing systems of international waters and which are clearly applicable in this case.

The House should be informed that, under the Boundary Water Treaty of 1909, the International Joint Commission was created to study the contentions of Canada and of our country over the use of waters which are international in character between us and Canada such as the Columbia-Kootenay River system.

In his earlier testimony before the committee on February 17, Attorney General Adams referred to a conversation with Mr. Harry C. Donohue, secretary to the American section of the International Joint Commission. To use Mr. Adams' own words:

He (Mr. Donohue) informed us that there has been no settlement between us and Canada of the proposed Columbia River diversion; that Gen. A. G. L. McNaughton, chairman of the Canadian section, still insists on Canada's right to divert the Columbia River; that Canada still reserves its right under the treaty of 1909 with respect to the Chicago diversion and still continues to use

the Chicago diversion as a precedent against us in justification of its demands to divert the Columbia River.

At this point, Mr. Speaker, I think it would be useful to include in my remarks the text of a letter written by Attorney General Adams and Assistant Attorney General Olds of Michigan to Col. John Raymond, Deputy Legal Advisor to the State Department, under date of December 3, 1958, discussing the international ramifications of the Chicago diversion controversy.

STATE OF MICHIGAN,
Lansing, December 3, 1958.

Col. JOHN RAYMOND,
Deputy Legal Adviser,
State Department,
Washington, D.C.

DEAR COLONEL RAYMOND: It was a real pleasure to have had the privilege of discussing with you and your associates in the State Department the international ramifications of the Chicago diversion controversy. It occurs to me that since this matter is of such vital importance both to the States involved and to the Federal Government we should keep each other informed of any developments that would affect in some degree our separate or mutual interests.

Although the other complainant States did not have personal representatives at this conference, may I assure you that the views expressed by Mr. Boyd, assistant attorney general of Ohio. Mr. Torina, solicitor general of Michigan, and myself reflect the views of those who have been representing the States of Minnesota, Wisconsin, Pennsylvania, and New York with whom we have been conferring during the past year.

May I summarize what I consider to be the viewpoints of the complaining States as we discussed them at this conference:

1. The Great Lakes Basin constitutes the largest fresh water basin in the world; it is an international body of water since it forms a boundary between the United States and Canada, and whatever occurs in or to these waters may cause injury to either Nation.

2. Both the United States and Canada have a common, mutual interest in the navigation that occurs on these waters, and of course this interest is now greater than before on account of the near completion of the St. Lawrence Seaway.

3. The Great Lakes Basin is the source of enormous hydroelectric power, particularly beginning at Niagara and extending southward in Lake Ontario and the St. Lawrence River. The production of this power has been agreed upon by our two countries and, of course, every drop of water that is lost to this basin by diversion or by any other artificial extraction directly affects adversely the generating potential of the powerplan's now in construction as well as those contemplated.

4. Both countries have a common interest in maintaining the integrity of the water naturally belonging to this basin because lake levels affect the navigational depth of ports and harbors, the use of our shores for recreational purposes, and the management and maintenance of the wildlife populations that abound in these waters.

5. Although Lake Michigan does not actually border Canada, nevertheless Lake Michigan and Lake Huron constitute one lake both geologically and hydraulically. Any lowering of water in Lake Michigan directly affects the levels of Lake Huron, Lake Erie, Lake Ontario, and the St. Lawrence River. This fact does not seem to be understood by many people, even some who are high in the Government of the United States. I recall very vividly many efforts made by Senator KERR during the hearings before the Senate Public Works Committee this summer in which he repeatedly insisted that Lake Michigan did not border Canada and, therefore, he could not understand what business it was of Canada's to protest the diversion at Chicago.

6. Although the memorandum received from the State Department by the Senate Committee on Public Works indicated that Canada would not protest the temporary 1-year diversion of 1,000 cubic feet per second contemplated during the hearings on H.R. 2 in the 85th Congress, nevertheless we are under the impression (as indicated in your letter to me of April 22, 1958) that Canada has protested the Chicago diversion pursuant to paragraph 2 of article 2 of the Boundary Water Treaty of 1909.

There are certainly real grounds for fearing that should the Chicago diversion continue to increase in amount, as it surely will if Illinois and the sanitary district succeed in their efforts, Canada will use the diversion by Chicago as a precedent against us before the International Court of Justice in case we get into a disagreement with Canada over its intentions to divert the waters of the Columbia River. The intricacies of this international problem are explained in Senate Document 118 containing a study made by Mr. Griffin of your Department on "The Legal Aspects of the Use of Systems of International Waters With Reference to Columbia-Kootenai River System."

Consequently, it behooves all of us, State officials as well as officials of the Federal Government, to take positions which are not vulnerable in the event serious efforts are made to bring about diversion of rivers or bodies of water that rise in Canada and flow into the United States.

7. As we explained to you in great detail at the conference, there exists no overriding necessity on the part of the Sanitary Dictrict of Chicago to continue its present diversion of water for domestic uses, let alone to increase it. Every single municipality on the Great Lakes except Chicago returns to the Great Lakes the water which it has extracted, used and purified through sewage treatment plants. We see no reason why Chicago should not be made to do likewise; in fact, the only excuse that it may offer for its neglect and refusal to return the water to Lake Michigan is that it would cost money to do so. To us this is no valid reason, let alone a legal defense. Chicago and its metropolitan area is a rich, growing, expanding community. I am told that its per capita cost for collection and treatment of sewage is well below that which is carried by much smaller communities. It has such a large tax and revenue-collecting base that it could well afford to construct and operate the works that are necessary to return to Lake Michigan the effluent which is discharged by its plant after adequate treatment.

8. However, there is an even greater danger confronting us and this danger looms ever larger than the present and prospective diversion at Chicago. When we visualize a growing demand for enormous quantities of water for domestic and industrial uses as our population increases and industry demands greater water supplies for its processes, the danger becomes even more menacing.

You will recall that we showed you a map of the Great Lakes Basin prepared by the Lake Survey Division of the United States Corps of Engineers. In many places the divide is not too far distant from the shores of Lake Michigan, Lake Superior, Lake Erie, and Lake Ontario. There are many places at which new and additional diversions could be initiated both by Canada and by our States. In fact right now we are wrestling with an attempted diversion by the Elmhurst—Villa Park—Lombard Water Commission to supply the water needs of communities in DuPage County situated in Illinois on the Misisssippi side of the divide.

There have already been some inquiries and talk circulating around that industries located on the Ohio River side of the divide wish to extract water from Lake Erie into the Ohio River. You will recall that we observed many places where such diversions could be made. We must remember that this huge fresh water basin, the largest of its kind in the world, is viewed with longing eyes by water-thirsty communities located in other places that would like to tap and drain its water resources.

Therefore, it is our fear that unless both our courts and our legislative bodies, including Congress, adhere to a firm principle by which it is considered an act of trespass or illegality for any person, State or entity to extract water from the Great Lakes Basin and thereafter allow it to be diverted to another basin, the day will come when the Great Lakes Basin will be nothing but a "grab-bag" for all comers. The result will be utter chaos and the consequences will be sad to contemplate.

Perhaps this was the first opportunity that you have had to become acquainted with the views of the other Great Lakes States in regard to the transcendent issues which are involved herein. We believe that they should be settled upon the basis that paramount interests of the whole Nation are at stake. The increase in overseas navigation which will result from the existence of the St. Lawrence Seaway is a benefit that will inure to future generations for centuries to come. However, unless we jealously guard the waters that rightfully belong in this basin from depredation, all the expense and effort that have gone into construction of this eighth wonder of the world will be dissipated and set at naught.

We feel very strongly that our Supreme Court has not had the benefit of a clear exposition of the vast international and national interests here involved. We appreciate that this is the function of the Solicitor General of the United States, but we realize that he depends on your Department for information, advice and guidance on these phases of this case. May we hope that you will present this problem in the setting which we have tried to express in this letter so that he will understand, and the court will understand, that we are not here dealing with a microcosmic problem, but with one which unless resolved correctly now will later bring untold injury and anguish to the generations which follow us.

Very truly yours,

PAUL L. ADAMS,
Attorney General.
By NICHOLAS V. OLDS,
Assistant Attorney General.

Now, Mr. Speaker, with further reference to the possible effect of the passage of H.R. 1 on upper Columbia River diversions, I refer to a letter written by the State Department on July 29, 1958, to Senator NEUBERGER, of Oregon, which reads in part as follows:

The proposed legislation authorizing an increased diversion from Lake Michigan at Chicago has been opposed by Canada on the ground that it may cause injury to Canadian navigation and hydroelectric power interests. Canada's reasons for opposing the Chicago diversion bill are thus very similar to those of the United States with respect to the Columbia River diversion, and it would seem that H.R. 2, if enacted, could constitute a precedent to be used by the Canadian interests in support of their proposals on the Columbia.

This letter was referred to in Senator NEUBERGER's individual concurrent views contained in Senate Report No. 2482 of last year and concerned with H.R. 2, a somewhat similar piece of legislation to that which we are considering today. In those views Senator NEUBERGER stated

"It seems clear that, had this been the last word on this subject, it would have been our duty in the situation described above to oppose H.R. 2 in defense of the tremendous interest which the Pacific Northwest has in an equitable solution of the Columbia River problem, in the face of a continued objection by Canada to the Chicago diversion we could, in the interests of our region of the country, reach no other decision." I submit to my colleagues from the Pacific Northwest that the opposition of the Canadian Government to H.R. 1 has been clearly established and that I am certain they will see their proper course of action.

Mr. Speaker, at this time I should like to give a background sketch of the international legal situation on the question of this diversion issue that I believe will be helpful in considering this entire matter.

There has been a continuous diversion of waters from the Great Lakes Basin at Chicago into the Mississippi watershed since January 17, 1900, when the Chicago Drainage Canal was opened and 5,000 cubic feet of water per second—an amount greater than presently authorized—was diverted by permit by the Secretary of War—Olia and Sprecher, "Legal Aspects of Lake Diversion," Northwestern University Law Review, page 656 (1957). The amount of the diversion had been increased at the time that the treaty between the United States and Great Britain relating to boundary waters and questions arising between the United States and Canada were signed on January 11, 1909 (36 Stat. 2448; T.S. 548). The treaty went into effect on May 13, 1910, and is still operative.

Canadian opposition to the Chicago diversion existed prior to the signing of the 1909 treaty. The "Second Interim Report of the Canadian Section of the International Waterway Commission," dated April 25, 1906, contained the following reference to this diversion:

> At Chicago, the Americans have built a drainage canal which, when in full operation, will use about 10,000 cubic feet of water per second * * * which will have the effect of lowering Lake Michigan by over 6 inches, and Lake Erie by 4½ inches.
>
> * * * * *
>
> It is exceedingly important in the interests of navigation, both to ourselves and to the people of the United States, that the diversion by way of the Chicago drainage canal should be limited. It is equally essential in the interest of both countries that no diversion or interference should be allowed in streams crossing the boundary which would interfere with the interests of navigation in either country.

The terms of the Boundary Waters Treaty of 1909 do not appear to affect the legal rights of United States or Canadian interests in regard to the Chicago diversion. The preliminary article of the treaty defines "boundary waters" as "the waters from main shore to main shore of the lakes, along which the international boundary between the United States and the Dominion of Canada passes, including all bays, arms, and inlets thereof, but not including tributary waters, which in their natural channels would flow into such lakes." Lake Michigan is not a "boundary water" because it is entirely within the United States, and the part of the lake which is closest to Canada is about 40 miles from the international boundary. Secretary of State Elihu Root, who negotiated the treaty on behalf of the United States explained in his testimony regarding the treaty before the Senate Foreign Relations Committee that "the definition of boundary waters was carefully drawn in order to exclude Lake Michigan"—Naujoks' "The Chicago Water Diversion Controversy," 30 Marquette Law Review 228, 251 (1947).

Jurisdiction and control over diversions from bodies of water, such as Lake Michigan, which do not fall within the definition of "boundary waters" are reserved to the State where such water is located by article II of the treaty which reads in part:

> Each of the high contracting parties reserves to itself or to the several State governments on the one side and the Dominion or Provincial Governments on the other as the case may be, subject to any treaty provisions now existing with respect thereto, the exclusive jurisdiction and control over the use and diversion, whether temporary or permanent, of all waters on its own side of the line which in their natural channels would flow across the boundary or into boundary waters.

Injured parties are given certain rights and remedies in respect of diversions in the other country by the succeeding clause of the treaty subject to the proviso that such rights and remedies do not apply to cases already existing. That proviso thus eliminates rights of injured parties in regard to the Chicago diversion which was already an existing case.

Canadian Federal and Provincial interests which may be injured by diversions are not covered by the rights and remedies clause just cited or the proviso thereto. A memorandum by Mr. Chandler Anderson, who drafted the treaty, states as follows:

> The right of action for damages provided for in article II applies to private or individual interests in distinction from public or governmental interests. Any question on the point is set at rest by the use of the words "injured parties." Whenever the word party is used in a treaty, referring the high contracting parties, a capital P is used, so the absence of the capital and the use of the word in the plural indicates that it can refer only to individuals. (Files of the Department of State.)

The only other provision of the treaty which must be considered in connection with the Chicago diversion is the final paragraph of article II, which states:

> It is understood, however, that neither of the high contracting parties intends by the foregoing provision to surrender any right, which it may have, to object to any interference with or diversions of waters on the other side of the boundary the effect of which would be productive of material injury to the navigation interests on its own side of the boundary.

Secretary Root in his testimony, cited above, made the following statements after citing the terms of the last paragraph of article II:

> There should clearly be a right, there would be a right to object to, for instance, drying up one of the lakes. Either country, for instance, would be justified in going to war to prevent the other country from drying up Lake Erie, and that right to object to the destruction of the navigation in these international waters is preserved. I did not want to press Canada to give up any such rights, and I did not want to give up any such rights ourselves.

And later on in his testimony, when the Secretary was explaining why Canada was allowed to take a greater amount of water at Niagara than the United States under article V of the treaty, he stated:

> In the third place they consented to leave out of this treaty any reference to the drainage canal, and we are now taking 10,000 cubic feet per second for the drainage canal which really comes out of this lake system.

The opinion of Attorney General Judson Harmon, rendered on December 12, 1895, to the Secretary of State relates to the taking of water from the Rio Grande for irrigation in relation to article VII of the treaty of Guadalupe Hidalgo between Mexico and the United States of February 2, 1848. He concluded that the United States as the upstream country in that case had an unlimited right to divert the waters in question and that injured Mexican interests were without right or remedy. The Department of State believes that a reiteration of the Harmon doctrine by any branch of the U.S. Government would not be in the best interests of this country or in line with the progressive development of international law during the last 60 years.

When the United States negotiated a treaty with Mexico relating to the utilization of waters of the Colorado and Tijuana Rivers and of the Rio Grande with Mexico, which was signed at Washington on February 3, 1944—TS 994—the United States no longer asserted that the upstream country had an unlimited right to divert waters within its boundary. At the time the Secretary of State made the following statement before the Senate:

> It must be realized that each country owes to the other some obligation with respect to the water of these international streams, and until this obligation is recognized and defined, there must inevitably be unrest and uncertainty in the communities served by them—a condition which becomes more serious with the increasing burden of an expanding population dependent upon the waters of these streams.

In addition the Assistant Secretary of State declared:

> The logical conclusion of the legal argument of the opponents of the treaty appears to be that an upstream nation by unilateral act in its own territory can impinge upon the rights of a downstream nation; this is hardly the kind of legal doctrine that can be seriously urged in these times. (Hearing before the Committee on Foreign Relations, U.S. Senate, 79th Congress, 1st sess., part 1, p. 19 (Secretary of State); part 5, p. 1762 (Assistant Secretary of State).

The Supreme Court, in dealing with the problem of interstate diversions, has developed the principle of "Equitable Apportionment" in a notable series of cases—*Kansas* v. *Colorado*, 185 U.S. 125 (1902), 206 U.S. 46 (1906); *Hinderlider* v. *La Plata Company*, 304 U.S. 92 (1937). In the development of this principle, the Court has indicated that it was acting, at least partially, in the field of interna-

tional law. Thus, in the second opinion in *Kansas* v. *Colorado*, the Court states, at page 97:

Nor is our jurisdiction ousted, even if, because Kansas and Colorado are States sovereign and independent in local matters, the relations between them depend in any respect upon principles of international law. International law is no alien in this tribunal.

Principles similar to that of "Equitable Apportionment" have won increasing acceptance in international law. The Italian Court of Cassation, for example, stated in 1939:

International law recognizes the right on the part of every riparian State to enjoy, as a participant of a kind of partnership created by the river, all the advantages deriving from it for the purpose of securing the welfare and the economic and civil progress of the Nation. * * * However, although a State, in the exercise of its right of sovereignty, may subject public rivers to whatever regime it deems best, it cannot disregard the international duty, derived from that principle, not to impede or to destroy, as a result of this regime, the opportunity of the other States to avail themselves of the flow of water for their own national needs. In order to settle this conflict between the exercise of the right of sovereignty and the fulfillment of the duty imposed by the comitas sentius, regulations have been laid down by international conventions. ("Annual Digest and Reports of Public International Law Cases" (1938–1940, 120 at 121).)

The United States has taken the position that there is no basis under either the Boundary Waters Treaty of 1909 or customary international law for any contention that Canada has a legal right unilaterally to divert within its own territory certain waters of the Columbia River Basin, without regard to any material injury which may be sustained by downstream interests in the United States.

Canada, in its most recent aide memoire—February 20, 1959—has protested against the proposed legislation—H.R. 1—authorizing an increased diversion from Lake Michigan on the ground that such diversion would adversely affect navigation and hydro-electric interests in the Great Lakes Basin. If this increased diversion should take place despite Canada's protest and if, in fact, it should cause material injury to Canadian interests, Canada might well take the position that the United States by ignoring the Canadian protest gave Canada justification for taking a similar course of action with regard to a diversion in the upper Columbia River Basin.

Two notes from the Canadian Embassy to the Secretary of State dated February 1 and March 10, 1954, objected to the bill before the 83d Congress. In the latter note, the Canadian Government referred to article II of the Boundary Waters Treaty and stated:

The terms of the last paragraph of that article clearly affirm the understanding that neither party to the treaty surrenders "any right which it may have to object to any interference with or diversion of waters on the other side of the boundary the effect of which would be productive of material injury to the navigation interests on its own side of the boundary." If the proposed increase in the diversion at Chicago were to take place, the Government of Canada would, in the circumstances described above, consider that there would be material injury to the navigation interests on its side of the boundary.

The Canadian note of March 10, 1954, concludes as follows:

The Canadian Government wishes to draw attention once more to the fact that the Chicago diversion is one aspect of a matter now before the International Joint Commission and it is suggested that it would be in the best interests of Canada and the United States to allow the Commission to complete its study of this and related matters before any change in arrangements affecting the levels of the Great Lakes is authorized.

A third note, dated August 24, 1954, was sent by the Canadian Embassy to the Department of State. Attention was again drawn to the contents of its previous notes and the following statement was made:

As mentioned in my previous two notes, the Canadian Government considers that the adoption of this measure would have an adverse effect on navigation in the Great Lakes and the St. Lawrence River. After careful consideration the Government of Canada has reached the conclusion that an increase in the diversion at Chicago by 1,000 cubic feet per second as provided in this legislation would in fact result in injury to navigation in boundary waters, particularly during cycles of low levels on the Great Lakes.

It is the view of my Government, therefore, that the implementation of this proposed legislation would constitute a diversion of waters on the United States side of the boundary, the effect of which will be productive of material injury to the navigation interests on the Canadian side of the boundary. In these circumstances and in accordance with the right which is expressly reserved in article II of the Boundary Waters Treaty of 1909, I am instructed by my Government to make formal objection to the proposed increase in the diversion of the waters of Lake Michigan and to request that the U.S. Government take whatever measure may be appropriate to insure that this proposal is not implemented.

In his further note of February 13, 1956, the Canadian Ambassador stated in the concluding paragraph that:

I am accordingly instructed to make clear that, in the view of the Canadian Government, the enactment of the proposed legislation would be prejudicial to the navigation and power interests of both countries.

An aide memoire of January 6, 1958, from the Canadian Embassy referred to "useful conversations between United States and Canadian officials" on July 9, 1957, on various aspects of the proposed diversion from the Great Lakes system:

In considering the economics of alternative methods of improved waste disposal, it is assumed that full consideration will be given to the economic harm which may be done to navigation and hydroelectric generation in both countries by extended use of dilution methods.

It is not possible to give a firm undertaking to provide flows of a particular volume through the existing Long Lac and Ogoki diversions to the Great Lakes Basin during the 3-year period envisaged by proposed U.S. legislation. However, if it were possible to offset part of the effects of the Chicago diversion by inflows from the Albany Basin in Canada, it would be equitable that an equivalent amount of water should remain available for use in hydroelectric power generation by the Ontario interests at St. Marys Falls, Niagara Falls and in the International Section of the St. Lawrence River until the effects of the proposed temporary diversion will have ceased to be felt in the Great Lakes system.

All rights under the provisions of the Boundary Waters Treaty of 1909 are specifically reserved.

I should also like to include at this point the text of the statement of Mr. Woodbury W. Willoughby, director, Office of British Commonwealth and Northern European Affairs, before the House Committee on Public Works on H.R. 1.

STATEMENT OF WOODBURY W. WILLOUGHBY, DIRECTOR, OFFICE OF BRITISH COMMONWEALTH AND NORTHERN EUROPEAN AFFAIRS, BEFORE THE HOUSE COMMITTEE ON PUBLIC WORKS ON H.R. 1

H.R. 1 authorizes the withdrawal of water from the Great Lakes Basin at Chicago and thus must be considered in relation to the rights of Canada as a co-riparian in the waters of that basin. The Department, in the interest of maintaining harmonious relations with that country, has traditionally sought its views on proposals of this type.

This committee has previously been furnished with the texts of the recent communications exchanged with the Canadian Government regarding its views on H.R. 1, and will have noted the protest registered by that Government against implementation of the proposals contained in the bill. I should be glad to submit a copy at this time for insertion in the record.

The most recent Canadian aide memoire, dated February 20, 1959, expresses the opinion that any authorization for an additional diversion from Lake Michigan at Chicago would be incompatible with the arrangements for the St. Lawrence Seaway and power development, and with the Niagara Treaty of 1950, and would be prejudicial to navigation and power development which these mutual arrangements were designed to improve and facilitate.

Neither the Niagara Treaty nor the International Joint Commission orders relating to the development of power by the United States and Canada in the International Rapids section of the St. Lawrence River, place any specific limitation upon diversions of the type authorized by H.R. 1. Nevertheless, the Department is not in a position to question the Canadian position that an additional withdrawal of water from the Great Lakes Basin such as that under consideration would affect adversely Canadian navigation and power interests in the Great Lakes, their connecting channels, and the St. Lawrence River.

I understand that estimates have been furnished to the Congress by the U.S. Army Corp of Engineers as to the extent of the damage that would be suffered by downstream hydroelectric interests on both sides of the boundary in the event that the present proposal is enacted. It is noted that H.R. 1 provides no means by which injured parties may be compensated.

In view of the foregoing, the Department believes that enactment of H.R. 1 would adversely affect our relations with a friendly foreign government. Therefore, it is unable to support this legislation.

Mr. Speaker, I have read the committee report on H.R. 1. It is contained therein that the Columbia River problem should have no weight in reaching a decision on the Chicago diversion. I think that the words of Mr. Donohue as quoted in the February 17 testimony of Attorney General Adams is evidence that the Canadian Government does feel that Lake Michigan diversion would definitely provide it with a precedent for Columbia River diversion.

I note that the committee report also states "since Lake Michigan is not an international water and is not covered by the Boundary Waters Treaty of 1909, there is no legal obstacle to diversion by the United States of water from Lake Michigan." But the Canadian Government, Mr. Speaker, has not asserted that the Chicago diversion constitutes a breach of the treaty but has rather stated that the increased diversions would be productive of injury to Canadian navigation interests. The right on the part of the Canadians to make such an objection is contained in paragraph 2 of article II of the Boundary Waters Treaty.

I believe I have presented sufficient evidence here this afternoon, Mr. Speaker, to show that the Canadian Government is opposed and has been opposed for some time, to enactment of legislation such as H.R. 1. I think the presumption can safely be drawn that the enactment of H.R. 1 would be damaging to our present friendly relations with the Government of Canada.

Mr. Speaker, until quite recently, good relations with our neighbors to the north were taken as a matter of course. But lately there have been disturbing signs that even the closest and friendliest of neighbors should not be taken for granted. In this connection, I refer Members to the two reports of the Hays-Coffin study mission to Canada last year. There is an important paragraph contained in the conclusion to the second report (p. 43):

> It may well be that we have reached a stage where the cooperation possible between the two North American neighbors can be much greater than is usually found, even among allies and traditional friends. Such cooperation must develop within the context of world relationships and responsibilities. Internal differences will continue to exist. But the realization that full strength for the free world depends largely on the ability of the Western Hemisphere to provide a firm economic and military base on which to build emphasizes the need for the closest kind of coordination, especially between the United States and Canada.

Mr. Speaker, I submit that enactment of H.R. 1 would damage our good relations with Canada and would go far toward endangering United States-Canadian cooperation in many fields too numerous to mention here but many of which relate directly to the national defense and security of this country. I, therefore, believe that H.R. 1 should not be enacted at this time.

Mr. MADDEN. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I think it is well that we meet the Canadian protest at the beginning of the debate.

The gentleman from Michigan has told you that the Dominion of Canada has protested against the passage of H.R. 1, and that is so, and it is unfortunate. But that protest, Mr. Speaker, is one of the great mysteries of this controversy. We have always sought Canada's cooperation, and last year we received its approval. Only a few months ago, last August to be exact, I received a letter from the Department of State which declared that the Government of Canada had no objection whatsoever to the diversion of an additional 1,000 cubic feet of water per second at Chicago. That was the attitude of the Government of Canada to the proposal which is now before the House, exactly the same proposal. At the time the Government of Canada took that position, as revealed by the State Department, the situation was exactly the same, the conditions were exactly the same, and yet, Canada changed its mind. Why? Why did the State Department suddenly write the Government of Canada to submit its viewpoint on this bill? It knew Canada's views. The State Department must have wanted the protest. I say that the State Department is really the culprit in the picture. I believe that pressure was applied on the State Department by a ranking member of the Committee on Foreign Relations of another body, and the State Department wilted under that pressure. There was no need for the State Department to invite the opinion of Canada on this bill. It was exactly the same bill that was before the Government of Canada at the time it expressed itself as having no objection.

The gentleman from Illinois [Mr. O'BRIEN] had spent almost an entire year hounding the State Department in an effort to find out what the attitude of the Government of Canada was. Then last January, in an aide memoire which the State Department furnished to the chairman of a subcommittee on public works of the other body, the Government of Canada indicated that it had no objection to the bill then pending which provided for a 3-year diversion.

Mr. BENTLEY. Mr. Speaker, will the gentleman yield for a correction?

Mr. YATES. I yield to the gentleman from Michigan.

Mr. BENTLEY. I think that if the gentleman will review the correspondence he will find the Canadian Government did not at that time, last August, interpose an objection to a temporary 1-year diversion.

Mr. YATES. That is correct—nor can the Canadian aide memoire of last January be said to be an objection. The Government of Canada reviewed the bill, H.R. 2, and did not specifically object to it in contrast to specific objections it had made to earlier diversion bills. Then in August in a letter that was addressed to me personally, the Assistant Secretary of State declared that the Government of Canada had assured the State Department that it had no objection to the diversion.

Why then this sudden change of attitude by the Government of Canada? I think it is because politics raised its head at that time. As a matter of fact, Mr. Speaker, in the Chicago Daily News for March 4, it is indicated that the ranking member of the Foreign Relations Committee of another body set about to persuade Canada to change its view.

Mr. HOFFMAN of Michigan. Mr. Speaker.

Mr. YATES. Does the gentleman want me to yield to him?

Mr. HOFFMAN of Michigan. I want to make a point of order, as much for information as anything else. The gentleman is talking about a change of attitude in the Canadian Government on this proposition, and then he very clearly intimates, if he does not charge directly, that the change is due to the representations made by the chairman of a committee of the other body.

Mr. YATES. Not by a chairman of a committee, but by a ranking member.

Mr. HOFFMAN of Michigan. All right, by a ranking member of the committee. But what I would like to point out is, I would like to know whether it is a proper argument. I do not care what the gentleman says, but I make the point of order on that question.

Mr. YATES. I referred to an article in the Chicago Daily News, Mr. Speaker, which indicated that the ranking member of the Foreign Relations Committee of another body had indicated that he had undertaken to get a change of views. I think it perfectly proper to refer to it.

Mr. HOFFMAN of Michigan. I am not questioning the accuracy of it as to what the other fellow did or did not do. I am just wondering and raising the point as to whether it is proper for a Member here to suggest, as has been suggested, that the chairman of the other body influenced the Canadian Government to change its position.

Mr. YATES. Well, Mr. Speaker, may I respectfully suggest that if Members will read the Chicago Daily News of Wednesday, March 4, in the article pertaining to this bill, that the Members can then make up their own minds as to whether any special influence was used.

Mr. JOHANSEN. Mr. Speaker, I make the point of order that it is out of order to make such reference to a Member of the other body.

Mr. YATES. Mr. Speaker, I am referring to a member of another body.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. YATES. Mr. Speaker, I decline to yield further at this time.

The SPEAKER. The gentleman from Illinois will proceed in order.

Mr. YATES. Mr. Speaker, there was no reason for soliciting Canada's viewpoint. It had expressed itself clearly to the proposal incorporated in this bill.

The SPEAKER. The time of the gentleman from Illinois [Mr. YATES] has expired.

Mr. MADDEN. Mr. Speaker, I yield 5 additional minutes to the gentleman.

Mr. YATES. Mr. Speaker, the treaty of 1909 to which the gentleman from Michigan referred dealt with boundary waters including waters of the Great Lakes and specifically excluded Lake Michigan from its consideration as being inland waters—waters entirely within the United States; and it is interesting to note that the treaty allocated water from Niagara River between the United States and Canada and granted 36,000 cubic feet per second to the Canadian side and 18,500 cubic feet per second to the American side. The Secretary of State, Elihu Root, who was interrogated about it at that time said the reason for the disparity was that Chicago was with-

drawing 10,000 cubic feet per second of water. This was the reason for allotting Canada more water, he said. So it is expressly recognized by Canada by this treaty of 1909 that Chicago has the right to withdraw 10,000 cubic feet of water per second. Chicago today is withdrawing only a fraction of that amount, 1,500 cubic feet per second to be exact.

The treaty of 1950 to which the gentleman from Michigan referred in no way affected or changed the treaty of 1909.

Let me suggest this additional point to you. In the controversy before the Supreme Court in which the amount of water which Chicago would withdraw was reduced from 10,000 cubic feet to 1,500 cubic feet per second, Canada did not appear before the Court to make its position known. Two years ago when there was a critical shortage in the Illinois Waterway, the Supreme Court upon petition of the State of Illinois granted the Sanitary District authority to withdraw 8,500 cubic feet of water per second, Canada did not appear at that time either and Canada did not protest.

The amount of water the Supreme Court permitted Illinois to withdraw was decidedly greater than the amount sought in this bill. Canada did not protest the decision of the Supreme Court. It did not appear before the Supreme Court; it made no representation of protest to the Department of State. It cited no damage that had occurred. And yet, now, when faced with a situation which would permit diversion of a much smaller quantity it files a protest.

Of course the protest of Canada is something that should be considered. We from Illinois do not want to disrupt or strain our relationship with our great neighbor to the north. But I must say it comes with poor grace for our neighborhood to file its objection in view of the fact that it indicated only 6 months ago under exactly similar conditions that it had no objection to the relief that is sought in this bill.

The charge will be made, too, Mr. Speaker, that the diversion at Chicago could very well serve as a precedent in the dispute between Canada and the United States over the division of the waters of the Columbia River. This is not a valid point. I have an opinion by the legal counsel of the State Department to the effect that if there is no material damage to Canada from the diversion of water at Chicago, the diversion cannot serve as a precedent in the dispute over the division of the waters of the Columbia.

So, Mr. Speaker, I think it is well that we meet this Canadian objection at the inception of this debate. We regret very much the Canadian protest. I personally think that it was inspired. I believe that the State Department opened up the whole controversy by inviting the Government of Canada to make a protest at a time when the State Department knew that under exactly the same circumstances the Government of Canada had indicated it had no objection to this bill.

Mr. Speaker, I hope the rule is granted and I hope the bill passes.

I now yield to the gentleman from Illinois [Mr. PUCINSKI].

Mr. PUCINSKI. Mr. Speaker, the gentleman from Michigan rests his entire opposition to this bill on the basis of preserving friendly relations with Canada. I wonder if the gentleman from Illinois would clarify this point: Is it not a fact that Canada had not offered any opinion about or opposition to this legislation as late as August, and came into the picture only after such an opinion was solicited by our own State Department?

Mr. YATES. This year, after H.R. 1 was filed. The gentleman is entirely correct.

The SPEAKER. The time of the gentleman from Illinois has again expired.

Mr. YATES. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ALLEN of Illinois. Mr. Speaker, I yield such time as he may desire to the gentleman from Illinois [Mr. COLLIER].

Mr. COLLIER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. COLLIER. Mr. Speaker, as an ardent supporter of the lake diversion bill since its inception, I contend that failure to pass this much needed legislation in the 86th Congress would certainly be a sin of omission.

The controversy over this bill during the last three sessions of Congress has consumed countless hours of debate and literally thousands of pages of testimony—much of a highly technical nature and all punctuated with conjecture.

Not even the most avowed opponents of this legislation can question the need for something to be done to increase the flow of water into the Illinois Waterway to clear the streams and decrease stagnation in the interest of the general health and welfare of our people.

The fact that on three different occasions, the most recent in 1944, diversion of water from the Great Lakes became a must to meet the emergency conditions which developed as a result of an entirely inadequate flow into the Illinois and Mississippi Rivers.

Since the need has been established by the most qualified sanitary engineers plus the very history of our waterways, let us then honestly appraise the objections of those who would oppose even granting a 3-year test in this very important project.

You will hear that this diversion will lower the lake level.

The truth of the matter is that the level of the Great Lakes might be lowered by one-eighth of an inch maximum during this 1-year test period—but let me remind you that the seasonal variation by the normal processes of Nature is 18 to 22 inches per year and has frequently gone considerably above that figure in all of the five Great Lakes.

You will be told that the diversion will cause the loss of hydroelectric power.

Regardless of how many figures in kilowatt hours are presented, the fact remains that the loss of electrical energy will amount to a small fraction of 1 percent of the total energy production at the plants affected in the Great Lakes region.

The question, of course, of Canada's objection has been raised.

I submit, however, that the original treaty of 1909 is still in full force and effect under the International Joint Commission which has jurisdiction over certain diversions of water from the Great Lakes.

But, and I believe this is a very important point, Lake Michigan is not a boundary water as provided in the terms of that treaty.

It is, as you know, the only one of the five Great Lakes which lies entirely within the United States and neither borders nor extends into Canada as do the other four Great Lakes.

But even if we are to assume that Lake Michigan is by a vague interpretation of this treaty under this jurisdiction, I wish to point out that in 1909 when this treaty was entered into, the city of Chicago was authorized to withdraw 10,000 cubic feet per second from Lake Michigan for the Illinois Waterway.

This permission was subsequently reduced to the point where today the people of the vast Chicago area are permitted approximately 1,500 cubic feet per second for drinking water and domestic pumpage. I do not believe it is necessary to comment on the tremendous population growth in the country and northern Illinois in recent years and the corresponding need for this diversion of water from Lake Michigan.

Yet all we ask in this legislation is 1,000 additional cubic feet on a test basis under the supervision of the Army Corps of Engineers.

We will then abide by the decision based upon the actual results of this test rather than conjecture and unfounded theory.

In closing, I submit that in both the 83d and 84th sessions of Congress, after long and intensive study of this bill by Members of both the House and the Senate more than 350 Representatives from the 48 States voted for this authorization and apparently felt in their wisdom, that it was necessary and proper after having all the facts and—in each session there were but hardly more than 100 Members who voted against the project.

I contend that this legislation is a must in the interest of the general health and welfare of millions of our people. I contend that in dealing with this issue, ladies and gentlemen, we must place human values before commercial and political interests.

I certainly would be remiss if I did not in conclusion pay much deserved compliment to Congressman THOMAS J. O'BRIEN for the long hours of work and the diligent and untiring efforts he has extended in the cause of this vitally important legislation.

Mr. ALLEN. Mr. Speaker, I yield 10 minutes to the gentleman from Ohio [Mr. SCHERER].

Mr. SCHERER. Mr. Speaker——

Mr. BECKER. Mr. Speaker, will the gentleman yield?

Mr. SCHERER. I yield to the gentleman from New York.

Mr. BECKER. I preface my remarks by saying that I served for 5 years on the Public Works Committee which has dealt with this subject. I would like to ask the gentleman why this bill comes to us authorizing a study but not authorizing the expenditure of any money to make the study? I understand from the report that this study is going to cost $550,000. It would seem to me that the bill should contain an authorization for the expenditure of the money necessary to conduct the study the bill authorizes. What can the gentleman tell me about that?

Mr. SCHERER. I understand that if this legislation is passed the Appropriations Committee will have to provide the necessary funds to conduct the study.

Mr. BECKER. And in the report is a statement that it will cost approximately $500,000, is that correct?

Mr. SCHERER. That is correct.

Mr. CURTIS of Massachusetts. Will the gentleman yield?

Mr. SCHERER. I yield to the gentleman from Massachusetts.

Mr. CURTIS of Massachusetts. I would like to ask the gentleman about the title of this bill. Is it an adequate description of what the bill really does?

Mr. SCHERER. I do not feel that the title covers the substance of the bill and I shall discuss that in my remarks.

Mr. JOHANSEN. Mr. Speaker, will the gentleman yield?

Mr. SCHERER. I yield to the gentleman from Michigan.

Mr. JOHANSEN. Do I understand that the hearings on this bill have not yet been printed?

Mr. SCHERER. The report was made available this morning, not the hearings.

Mr. JOHANSEN. The hearings?

Mr. SCHERER. The hearings, I understand, have not been printed. The report was made available this morning.

Mr. JOHANSEN. May I observe, the real mystery is why we should grant a rule before we have the hearings printed on such a complex subject as this is?

Mr. SCHERER. Mr. Speaker, since the objection of Canada was discussed by the two previous speakers, I would like to treat with that subject first.

We can dispute the legal or moral right of Canada to raise an objection to this legislation, we can point out that Canada may or may not be harmed by this bill or that Canada is acting in bad faith or that our State Department may have solicited Canada's opinion with reference to this legislation. However, the fact remains, Mr. Speaker, that Canada has objected to the passage of H.R. 1 and if we ignore that objection at this time, Canada, then, will have money in the bank on which to draw when she begins diversion of the headwaters of the Columbia River before those waters leave Canada. If we do that we are going to not only put the United States but every State in the Pacific Northwest over the proverbial barrel because we will not have a leg to stand on to oppose diversion which Canada presently is contemplating in the headwaters of the Columbia River.

Mr. Speaker, if the end result of H.R. 1 was only the additional diversion of 1,000 cubic feet of water per second for 1 year from Lake Michigan by the Sanitary District of Chicago, and there was some substantial evidence that such diversion would help solve Chicago's sewer pollution problems, I would not oppose this legislation.

Now I realize that some of the proponents of this legislation contend that this is all they are asking. If they said that it was all they were asking at the moment, I might agree with them.

The last sentence of the bill itself indicates what the proponents really want and expect to get. This sentence reads:

> The report on such results shall contain recommendations with respect to continuing the authority to divert water from Lake Michigan into the Illinois Waterway in the amount authorized by the first section of this act or increasing or decreasing such amount.

Once this additional diversion of 1,000 cubic feet per second is granted, everyone in this House knows that there is no more chance of having it stopped than there is of repealing a tax once it is enacted. The purpose of this bill is to get the foot in the door—to get the matter away from the Supreme Court, to get Congress to take jurisdiction, to let the politicians do the necessary logrolling so that from year to year the diversion can be increased and increased permanently.

Ever since 1930 the Supreme Court of the United States by continuing decree has had jurisdiction over the diversion of waters from Lake Michigan to Chicago. There have been numerous applications under this decree filed by Chicago and the lake States for orders to increase or decrease the diversion. After exhaustive hearings the Court has acted. In some instances it has granted the relief prayed for in the applications by either increasing or decreasing the authorized diversions. In some instances it has refused to act.

It is my opinion that, whenever Chicago offers satisfactory evidence that she is entitled to additional diversions, the Court under the 1930 decree will act as it has in the past. The trouble is that Chicago is not able to make a case on its merits for additional diversions before the Court and, therefore, wants Congress to act arbitrarily in the matter and grant her the relief she seeks.

The fact is, however, that Chicago has not made a case before the Committee on Public Works to justify the Congress in acting. Her hope is to gain her objective for political considerations, rather than on the merits of her case.

There is no question but that there is a legal right to divert waters from the Great Lakes for navigation purposes. The Supreme Court, the Army Engineers, and all competent authorities agree that the 1,500 cubic feet per second diversion which Chicago is now permitted to make under the 1930 decree of the Supreme Court is sufficient to take care of the navigation needs on the Illinois Waterway. Whenever it is shown that additional waters are needed on a temporary or permanent basis for navigation needs, the Court, as it has in the past, will grant such additional diversion. To contend that the additional diversion requested in H.R. 1 or the study proposed therein is for navigation purposes is pure unadulterated nonsense and legal subterfuge.

The real purpose of this legislation is, as I have said, to get congressional authority for a diversion which will be increased from year to year in order to assist Chicago with its sanitary problems. No one will deny that Chicago does have a sanitary problem. She has had one for more than 30 years. True it is that Chicago has one or two of the most modern treatment plants in the world, but she does not have enough of them, of sufficient capacity, properly located, to handle the waste from the ever-increasing population and industrial development in the Chicago area. If Chicago were willing to spend the money and do the job that should be done in the Chicago area to handle the sewage problem, there would be no need for additional diversions.

It would take an additional diversion of almost 10,000 cubic feet per second to dilute the sometimes raw and partially treated sewage that is today dumped into the Illinois Waterway. The testimony is conclusive that the diversion of an additional 1,000 cubic feet could in no way help Chicago's situation; it could not even assist in making the test or survey that is proposed in this bill. It certainly cannot cure Chicago's problem.

Obviously the Chicago Sanitary District needs a survey—a survey to determine exactly what Chicago must do to handle her ever-increasing sewage problems, a survey to determine how many more sewage treatment plants are required and in what locations. The problem in the Chicago area is going to grow worse. The projected population increase and industrial expansion in the next 10 years is going to be such that without adequate preparation and changes by the sanitary district to handle the increased sewage load, we might be required to run all of Lake Michigan through the Illinois Waterway and eventually into the Gulf of Mexico.

While I realize it would be extremely costly if Chicago properly treated all of its sewage and then returned the effluent to Lake Michigan as does every other large city on the lakes, she could then divert as much water as is needed without any damage to or complaints from the other lake cities and States and without violating the basic law governing water usage and diversion.

Chicago over the years has received preferred treatment. In addition to the 1,500 cubic feet per second which she is allowed to divert for navigation purposes under the 1930 Supreme Court decree, she is taking approximately 1,800 cubic feet per second for domestic pumpage,

which should be returned to Lake Michigan as is done by all other cities of the lake basin. Instead, as we know, the ever-increasing domestic pumpage is lost forever to the Great Lakes. This diversion of domestic pumpage has permanently lowered the lake levels approximately 2 inches. The damage and loss caused by this lowering over the years in hydroelectric power, in shipping losses, and in the cost of dredging harbors and connecting channels, is incalculable.

We must also remember that Chicago by changing the course of three streams which originally flowed into Lake Michigan has also deprived the lakes of the normal flow of these streams to which the lakes are entitled.

But I suppose cities are like some people. When they have a special privilege, advantage, or concession, they are never satisfied. They become greedy and want more and more, even if it results in inconvenience and damage to their neighbors.

Chicago today is diverting from Lake Michigan approximately 3,300 cubic feet per second. The additional 1,000 cubic feet asked for in this bill makes a total diversion of 4,300 cubic feet per second.

Now when you talk about water in cubic feet per second, 4,300 cubic feet per second does not sound like too much water to the average Joe since he is used to measuring water by gallons. But do you know that a diversion of 4,300 cubic feet per second is a diversion at Chicago of 2,786,400,000 gallons every day. This is almost twice the flow of the Delaware River.

When you take this amount of water out day in and day out, year in and year out, one can readily comprehend the annual loss in hydroelectric power at Niagara and the St. Lawrence, the tonnage loss to shipping, and the additional cost for the dredging of hundreds of harbors and connecting waterways. It would take a Univac machine to calculate the totals for just 10 years.

Under these circumstances should we give Chicago the amount of water provided in this bill, namely, an additional 648 million gallons per day?

If we create this precedent, how many buckets of water are we going to allocate to Detroit, Toledo, Cleveland, Buffalo, Milwaukee, and hundreds of other smaller lake cities when they come to the Congress with all their water and sewage problems?

There are a number of cities in Ohio which are willing to take care of their own sewage problems but need a little additional water for domestic purposes. Maybe they can come to the Congress with a bill next year which would permit the building of canals or pipelines to divert just a few billion gallons from Lake Erie. Furthermore, a little Lockport plant down on the Ohio River in my district would give us some cheap hydroelectric power. In the succeeding years we can take care of cities in Indiana, Pennsylvania, New York, and our Canadian friends.

Seriously, Canada has entered its objection to this legislation with the State Department.

Mr. ALLEN. Mr. Speaker, I yield the remaining time on this side, 4 minutes, to the gentleman from Michigan [Mr. HOFFMAN].

CALL OF THE HOUSE

Mr. JOHANSEN. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. ALBERT. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 12]

Bailey	Hall	Nix
Barden	Hargis	O'Brien, N.Y.
Bolton	Hébert	Powell
Boykin	Jackson	Short
Cahill	Judd	Smith, Miss.
Celler	Kelly	Smith, Va.
Curtis, Mo.	Lafore	Spence
Denton	Laird	Taylor
Dixon	Landrum	Thompson, La.
Ford	McGinley	Toll
Frelinghuysen	Martin	Tuck
Green, Pa.	Morrison	Willis

The SPEAKER. On this rollcall 392 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DIVERSION OF WATER FROM LAKE MICHIGAN

The SPEAKER. The Chair recognizes the gentleman from Michigan [Mr. HOFFMAN], who has 2 minutes remaining.

Mr. BENTLEY. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Michigan.

Mr. BENTLEY. I would like to point out that I am afraid some of my friends from Illinois left the impression that the protests of the Canadian Government on this diversion issue have been rather recent. I would like to ask them to read my remarks tomorrow morning whereby they will see that the Canadian Government has been protesting Lake Michigan diversion as far back as the turn of the last century.

Mr. HOEVEN. Mr. Speaker, will the gentleman yield?

Mr. HOFFMAN of Michigan. I yield to the gentleman from Iowa.

Mr. HOEVEN. Mr. Speaker, I am pleased to announce that the Secretary of Agriculture today announced that current dollars-and-cents support prices for manufacturing milk and butterfat will be continued through the 1959–60 marketing year which begins on April 1.

The support prices are being continued at $3.06 per hundredweight for manufacturing milk and 56.6 cents per pound for butterfat.

In carrying out the program to support prices of milk and butterfat sold by farmers, USDA as in the past will offer to purchase butter, cheddar cheese, and nonfat dry milk in carlot quantities.

The announcement is as follows:

By law, the Secretary of Agriculture must before the beginning of the marketing year (presently April 1) set a level of price supports that will "assure an adequate supply."

During 1958, milk production was reduced by some 700 million pounds. Milk cow numbers as of January 1, 1959 were down 2.8 percent from a year earlier. The number of milk cows on farms is expected to decline still further in 1959 but not at as rapid a rate as in 1958.

With a rise in our population and a significant increase in cheese consumption and little per capita change in the use of other products, total commercial use of milk products increased in 1958 over 1957. As a result and since milk output declined, CCC outlays for price support purchases of dairy products are down substantially. (For details see press release USDA 645–59, dated Mar. 6, 1959.)

We have moved into consumption the reduced acquisitions. Our uncommitted supplies are as follows in comparison with last year:

Uncommitted supplies

[In million of pounds]

	Butter	Cheese	Nonfat dry milk
Feb. 28, 1959	28.5	6.5	49.3
Feb. 28, 1958	55.9	143.3	35.4

Nineteen hundred and fifty-nine production is not expected to be significantly different from 1957 or 1958 levels. Increased consumer incomes are in prospect, and commercial use of milk products per person is expected to be at least as large as in 1958. With the rise in population, supply, and the commercial use of milk products—measured on a fat basis—is expected to be more nearly in balance than in several years. (However, we still expect some surplus of nonfat dry milk solids.)

In arriving at a decision, I have consulted with producer groups, farm leaders interested in dairying, and the CCC Advisory Board.

Based on analyses by our dairy technicians, it would appear that retention of the present support levels is desirable to provide the level of production with the margin of safety to "assure an adequate supply." Therefore, I am maintaining the 1959 marketing year support levels for butterfat and manufacturing milk at the same dollar and cents levels as for 1958.

The dairy industry provides one of the most important sources of cash income for our farmers—about 14 percent of cash receipts from marketing in 1958. I believe its future is bright. Each morning there are 8,000 new customers for its products.

For good nutrition we need to consume more dairy products. We will do everything feasible to cooperate with this great industry to promote and merchandise its products. We will, of course, continue to assist the dairy industry in every sound way to expand its markets, reduce costs, and help it build on a firmer foundation.

Mr. HOFFMAN of Michigan. The gentleman from Illinois may extend his remarks immediately following those by the gentleman from Michigan [Mr. BENTLEY] and I ask unanimous consent to strike out what I previously said and yield back the balance of my time.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MADDEN. Mr. Speaker, I move the previous question.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. JOHANSEN) there were—ayes 163, noes 62.

So the resolution was agreed to.

Mr. BLATNIK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 1) to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 1 with Mr. SISK in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

Mr. BLATNIK. Mr. Chairman, I yield myself such time as I may require and to revise and extend my remarks.

Mr. Chairman, the hour is late. Most of us are quite familiar with the subject matter of H.R. 1. So may I limit myself to a brief summary of what the bill will do and then let the proponents and the opponents discuss in more detail the points in controversy?

Most of the Members, with the exception of the new Members of the House, have heard this bill discussed or debated, pro and con, for a period of perhaps 8 to 10 years, in the 82d, 83d, 84th, and 85th Congresses. The present bill has been modified somewhat to try to meet, to as great an extent as possible, the objections raised during those years of debate.

Very briefly, H.R. 1 would provide for a 3-year study to be conducted by the Secretary of Health, Education, and Welfare and the Secretary of the Army, of the effect of the diversion of Lake Michigan waters at Chicago in the amount of 1,000 cubic feet per second for a period of 1 year.

I want to emphasize the fact that the diversion will be for 1 year whereas previous bills had called for a diversion of this amount of water over a 3-year period. In addition to this 1 year of diversion, the remainder of the time, up to a period of 3 years, would be used for field, office, and engineering studies and for the preparation of a report.

Mr. Chairman, there are those of us who may have some reservations about a permanent diversion and the speaker has some doubts concerning perhaps the effects of a permanent diversion. But the study is desperately needed by the city of Chicago to solve what is probably the most pressing sewage disposal problem of any city, certainly of any major city, of the United States. And although the city of Chicago through its sanitary district has constructed one of the most elaborate and efficient treatment plants in the world, one which has been referred to as one of the seven engineering wonders of the country by the American Society of Civil Engineers, the tremendous growth of the metropolitan area and the rapid industrial growth, combined with the peculiar geographical location of the city, at the very foot of Lake Michigan, make it necessary, in fact imperative, to find some means of combating this serious problem.

One of the first steps in the solution is the proposed study of diversion, and I feel there can be little, if any, valid objection to this experimental research. With one possible exception all of the objections concern the effect of permanent diversion at Chicago.

I wish to emphasize, Mr. Chairman, that this is not a permanent diversion, that the argument that this will be a foot in the door is not valid because the moment the time expires as to the life of this bill the act automatically becomes as dead as a doornail, and all of the required work would have to be put into motion to initiate a new bill for any further diversion. So in my judgment and the judgment of the majority of the committee which voted out this bill by a vote of 19 to 11, this argument is not valid.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I wonder if the gentleman from Minnesota then would explain the last paragraph of H.R. 1, which states:

> The report on such results shall contain recommendations with respect to continuing the authority to divert water from Lake Michigan into the Illinois Waterway in the amount authorized by the first section of this act.

To me it is very obvious that that section, being in the bill, does imply that it is a foot-in-the-door policy.

Mr. BLATNIK. That question implies only what one may want it to imply. I think the language is clear. I was interested in what diversion, if any, may be required. The study may recommend no diversion. So what do you imply? You imply what you want to read into the bill. It is only a recommendation which will come back before the House Committee on Public Works for consideration.

Mr. BROOMFIELD. If I may pursue that one step further, why cannot the study be based on the present diversion of water? Why do they need additional water to make their study?

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Illinois.

Mr. YATES. I have here a letter from Mr. G. E. McClelland, who is the chief of the water-supply and water-pollution control program of the Chicago Department of Health and Welfare, under the heading "Broad Knowledge That May Be Derived From a Study of the General Type Authorized in H.R. 1." I shall put this whole letter in my remarks, but I want to read one paragraph of that in reply to the question of the gentleman from Michigan. He says this:

> Many American communities are now faced with the problem of maintaining water quality for all legitimate purposes in the face of having a variable streamflow providing only a limited amount of dilution water at critical times. The critical problem in protecting water quality is that of discharging treated waste effluent into a watercourse having limited dilution capacity. This problem becomes especially acute when the community is providing the highest degree of waste treatment now feasible. The study will add much needed knowledge of dilution requirements under conditions existing at Chicago that could be applied elsewhere.

So that this study will probably be of value not only to Chicago but to every major metropolitan community in the United States.

Mr. BLATNIK. Yes; that is correct.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. May I, for the sake of orderly progress, conclude this? Then we will hear the speakers in the regular order. The gentleman from Ohio has been most considerate on this matter, and I appreciate it.

That has been made perfectly clear. The committee has thoroughly investigated all possible objections to a test diversion. Most of them have been repeated and repeated and repeated until we know them by heart. We feel that the seriousness of the problem here does justify this temporary diversion for a period of 1 year. Then we will have the results of the specialized agencies, the Corps of Engineers and the Department of Health, Education, and Welfare, who can tell us precisely and exactly what the effect of this and any other diversion may be on navigation, or what else may be required for proper sanitation and pollution control in the sanitation district in Chicago, or whatever the effect may be on the loss of hydroelectric power.

I do strongly urge the adoption of this bill. It merely provides for an experimental test and survey.

Mr. DINGELL. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman from Michigan.

Mr. DINGELL. I do not read anywhere in this bill where there is anything other than a study on navigation. Is the gentleman telling us now we are going to have a study in addition to navigation of pollution and other things in the Illinois Waterway? Is that what the gentleman is telling us?

Mr. BLATNIK. That is right.

Mr. DINGELL. Is there any such language in this bill, H.R. 1?

Mr. BLATNIK. Yes. I think the words are broad but they do cover the intent.

Mr. DINGELL. May I ask the gentleman this question. He was telling us at this time that a part of this bill or rather a part of the study that will be made pursuant to this bill will be a study of pollution in the Illinois Waterways; is that correct?

Mr. BLATNIK. Yes.

Mr. DINGELL. Then, I assume the gentleman would have no objection nor would any other sponsors or proponents of this particular measure have any objection to having concrete language in the form of an amendment to H.R. 1, which would specifically set forth that it shall include a study of pollution in this particular waterway; is that correct?

Mr. BLATNIK. I have no objection, but I doubt if it is necessary. There is now a study going on and underway which the proponents from the city of Chicago and in particular the author will explain. The study is now underway which is costing over 150,000-and-some-odd dollars studying this sewage disposal problem aspect.

Mr. DINGELL. Then, I shall remind the gentleman and others who favor the enactment of this particular measure of this particular colloquy at the appropriate time when I offer an amendment.

Mr. VANIK. Mr. Chairman, will the gentleman yield?

Mr. BLATNIK. I yield.

Mr. VANIK. With respect to this report and study that the gentleman referred to, as I read the bill on page 3, it provides for a study to be made of the effect on Lake Michigan and on the Illinois Waterway. We, in the lower lakes, Lake Erie in particular, are concerned about the effect of this on the connecting channels and the Great Lakes and on our Lake Erie, as I suppose it would affect the other lower lakes. What would be the feeling of the gentleman if this were amended to provide for reporting on the navigational effects with respect to the connecting channels of the lower lakes?

Mr. BLATNIK. Let us understand, of course, there will be some effects on other neighboring lakes, and they, too, are included in this report.

Mr. VANIK. Should not they be included in the language of the bill so that we who have this concern about the effect on navigation could have some assurance that our interests are going to be covered in this investigation and report?

Mr. BLATNIK. It is our understanding that that aspect of the problem would be included and it is not necessary to make more detailed or specific restrictions on the scope of the study.

Mr. VANIK. This specifically says on Lake Michigan and on the Illinois Waterways. Would the gentleman have any objection to including instead of Lake Michigan, "the Great Lakes and connecting channels thereof"?

Mr. BLATNIK. I would have no objection, but I would like to hear more from the author of the bill.

Mr. Chairman, I yield such time as he may desire to the dean of the Illinois delegation and our beloved friend and distinguished and eminent colleague from Chicago, Mr. O'BRIEN, the author of the bill, H.R. 1.

The CHAIRMAN. The gentleman from Minnesota has consumed 11 minutes.

Mr. O'BRIEN of Illinois. Mr. Chairman, this is the fourth time I have appeared in the well of this House in support of the Chicago lake diversion bill. It is not often that I take the floor and I hope that you will forgive me for taking these few moments to again make some brief remarks in support of my bill.

I hope—and expect—that it will be the last time I will have to urge passage of this bill. I hope that it receives congressional approval and that the President will sign it.

Essentially, H.R. 1 is like the bill that passed the 85th Congress. There is a significant difference, however, in that the earlier bill provided for withdrawal of 1,000 cubic feet of water per second for 3 years to supplement the city of Chicago's presently authorized withdrawal of 1,500 cubic feet per second. This bill reduces the period of the diversion to 1 year. The remaining 2 years of the experimental period will be taken up with studies and measurements prior to and following the actual diversion.

To most of the Members of the House, this is not a major bill but I can assure you that to those of us who come from the city of Chicago and the State of Illinois—it is a major bill. It is a bill of extreme importance.

Chicago is one of the great industrial communities of the world. As an industrial city it has the burden of disposing of a tremendous amount of waste products, and as a matter of fact, its human and industrial waste is the greatest in the United States—greater even than New York City itself. And Chicago is growing and will continue to grow, thereby multiplying its waste disposal problems enormously.

To meet this problem the Metropolitan Sanitary District of Greater Chicago has built a sewage disposal system which is perhaps the finest of its kind in the world. It has the finest and most modern equipment in the world, purchased at a cost of hundreds of millions of dollars, all paid for by the citizens who live in Cook County. The engineering processes of the system permit a 90-percent purification which is the highest degree obtainable. It is for the treatment of the 10 percent balance that we need a small amount of additional water from Lake Michigan.

Let me emphasize that this is not a permanent diversion. You will hear statements today from opponents of the bill who will talk to you about the camel's nose and this being the first step toward permanent diversion. Such statements are totally unwarranted. This is a bill for a one-year diversion to be carried out under the supervision of the Corps of Army Engineers. The tests are to be conducted by the Department of Health, Education, and Welfare. I repeat—it is not permanent.

We are quite sure the small amount of additional water will not be injurious to any of the communities on the Great Lakes. We have an unsanitary condition in the Illinois Waterway that we want to try to relieve. All we ask is your approval to permit us to make this test. The passage of H.R. 1 will give us that opportunity. Thank you.

Mrs. CHURCH. Mr. Chairman, will the gentleman yield?

Mr. O'BRIEN of Illinois. I yield.

Mrs. CHURCH. Mr. Chairman, I would like to take this opportunity of expressing my pride and that of the entire Illinois delegation for the remarkably fine and enduring and courageous fight the gentleman from Illinois, Mr. O'BRIEN, has given us under his leadership.

One of the things I am proud of in my service in the Congress is to be able to serve under his leadership. I am glad to say that I nominated him to head this fight knowing full well he was the only one who could put through such a bill, and I am sure he is going to be successful.

Mr. O'BRIEN of Illinois. I thank my colleague.

Mr. ASHLEY. Mr. Chairman, when we cut through the fog of confusing and often conflicting statements made in support of the measure now before us—H.R. 1—it becomes clear that the net result of this bill would be to benefit Chicago at the expense of other Great Lakes cities and States.

Not only would this increased diversion result in adverse effects on Great Lakes shipping and power development, but it is clear that to pass this bill would seriously jeopardize our good relations with Canada.

To support this statement I would like to quote briefly from a memorandum of the Canadian Government dated February 20, 1959:

> While recognizing that the use of Lake Michigan water is a matter within the jurisdiction of the United States of America, it is the considered opinion of the Canadian Government that any authorization for an additional diversion would be incompatible with the arrangements for the St. Lawrence Seaway and power development, and with the Niagara Treaty of 1950, and would be prejudicial to navigation and power development which these mutual arrangements were designed to improve and facilitate. * * * The Government of Canada therefore protests against the implementation of proposals contained in H.R. 1.

Mr. Chairman, we are spending many millions of dollars to improve the Great Lakes both in connection with the St. Lawrence Seaway and the related deepening of Great Lakes ports.

Much of this effort will be wasted if at the same time we undertake this increased diversion.

As a final point I would like to submit that at present jurisdiction for Lake Michigan lies in the Supreme Court. If the Congress, by enacting H.R. 1, assumes this jurisdiction, we can look forward to constant and continued harassment on the multitude of problems connected with this great body of water. Thank you.

The CHAIRMAN. The gentleman from New Jersey [Mr. AUCHINCLOSS] is recognized.

Mr. AUCHINCLOSS. Mr. Chairman, I yield to the gentleman from Washington [Mr. MACK] who will yield time on this side.

The CHAIRMAN. The gentleman man from Washington [Mr. MACK] is recognized.

Mr. MACK of Washington. Mr. Chairman, I yield myself 5 minutes.

The CHAIRMAN. The gentleman from Washington will proceed.

Mr. MACK of Washington. Mr. Chairman, this bill came out of the House Public Works Committee by a vote of 19 to 11. We are here as a result of that vote debating the academic question of whether a thousand cubic feet of water should be diverted from Lake Michigan at Chicago as proposed by this bill.

I call this an academic question because everyone who has studied the history of this legislation must realize that this bill if passed by the Congress will be vetoed by the President.

I say it will be vetoed because the President on two previous occasions, in 1954 and 1956, vetoed similar bills passed by the Congress.

I say the President will veto this bill because the State Department is emphatically and unequivocally opposed to it. The State Department says this bill if passed will imperil our friendly relations with Canada.

The Bureau of the Budget is emphatically and unequivocally opposed to this bill. Because of the opposition of these two departments and judging by his previous vetoes we may be certain that this legislation if passed faces an inevitable veto. The question before us today therefore is purely academic. It will not become law.

This bill proposes to take from Lake Michigan 1,000 cubic feet of water per second. That may seem like a small amount, but 1,000 cubic feet a second is 60,000 cubic feet a minute or 3,600,000 cubic feet an hour. The water to be diverted would be the equivalent of a river 100 feet wide, 10 feet deep, flowing into the Illinois ship canal at a rate of about 15 miles a day.

That quantity of water, the engineers inform us, will lower the water in Lake Michigan by 1 inch if continued for a 15-year period.

It is argued that this legislation is temporary legislation. It is called only a 1-year diversion. This is foot in the door and camel's nose under the tent tactics. There is no reason whatsoever for any survey unless a permanent diversion is its purpose.

The only benefits claimed for this proposed diversion is that it will clean-up the pollution in the Illinois canal. Navigation in the canal will not be improved by this legislation. The only thing the extra water will do is to lessen pollution.

We have almost all of the information now on this problem. We know that the pollution in the Illinois Waterway is tremendous. It is unhealthy. It is unsanitary. It should be removed. Chicago can remove this pollution by the same methods employed by nearly every large city in the country. These other cities reduced pollution by building large enough in size and numerous enough in number sewage disposal plants to remove the solids in sewage before they reach a river. But Chicago, looking after the financial interests of Chicago, does not want to build these plants which would cost her millions of dollars. Chicago proposes to correct her pollutions by diverting water, a plan which will cost her nothing.

Canada is very much disturbed by this bill. Canada has protested very emphatically against it. State Department witnesses in testifying before our committee, in answer to questions by me, stated that passage and approval of this bill will give Canada an excuse and a precedent for diverting water from the Columbia River in Canada to the Frazier River in Canada. A few years ago Canada did propose to divert from the Upper Columbia River one-third of all the water that comes down that stream into the United States. If that water is diverted, why it would wreck havoc and cause millions of dollars of damage annually to power production on the American side of the Columbia River Valley where our Government has numerous power dams dependent for generating capacity on this water that has its origin in Canada.

If Canada diverts water from the upper Columbia that will lower the level of water in the lower Columbia River, with the result that navigation will be imperiled and tremendous damage done shipping which uses this river. We in the Pacific Northwest are very much concerned about Canada obtaining an excuse or a precedent for diverting Columbia River water.

The CHAIRMAN. The time of the gentleman from Washington has expired.

Mr. MACK of Washington. Mr. Chairman, I yield myself 3 additional minutes.

Mr. Chairman, shipping interests using the Great Lakes testified before our committee that if the level of water in the Great Lakes and their connecting channels is reduced by 1 inch, every large Great Lakes vessel will be compelled to carry 100 tons less of freight. There are hundreds of ships plying up and down the Great Lakes with cargoes. Shipping interests testified that the loss to shipping would total $2 million a year, of which sum the Canadian shipping companies would lose about $600,000.

The New York Power Authority testified that if the level of the lakes is lowered by 1 inch the Canadian power dams and the American power dams on the St. Lawrence and Niagara Rivers will lose $600,000 a year in power generation capacity; one-third of this loss would be suffered by Canada. So Canadian interests stand to lose about $800,000 a year of revenue which they now are obtaining when the water takes its natural course; that is, flows through the Great Lakes, through the St. Lawrence, to the sea, instead of being diverted at Chicago to go down the Illinois Waterway to the Mississippi River.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Illinois.

Mr. YATES. Will the gentleman tell the House what legal basis, if any, Canada has to object to this bill?

Mr. MACK of Washington. Canada has a right legally, of course, to object. Anybody has a right to object to anything. Any government has a right to protest to our State Department. The Canadians admit the United States has the legal right to divert the water if our Congress chooses to do so. The United States admits that Canada has the legal right, if she chooses, to divert water from the upper Columbia River in Canada.

Mr. YATES. In connection with the treaty of 1909, did not Canada by that treaty agree that Chicago could withdraw 2,000 cubic feet per second?

Mr. MACK of Washington. I am not familiar with that.

Mr. BENTLEY. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Michigan.

Mr. BENTLEY. As I pointed out in my statement, Canada has the right to object under article II of the 1909 treaty to any action taken by the United States which in Canada's opinion would adversely affect her navigation.

Mr. MACK of Washington. I know the gentleman has made a very thorough study of the international problem in relation to water decisions. He is an able and most fully informed member of the House Foreign Affairs Committee.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Michigan.

Mr. BROOMFIELD. I would like to ask the question why is Chicago so interested in circumventing the Supreme Court ruling? After all, was it not our understanding that Chicago went before the Supreme Court and got permission to divert something like 8,500 additional gallons per second a year ago, when there was an abundance of water? I cannot see why the Chicago delegation is so interested in circumventing the Supreme Court ruling.

Mr. SCHERER. Mr. Chairman, will the gentleman yield?

Mr. MACK of Washington. I yield to the gentleman from Ohio.

Mr. SCHERER. The gentleman from Washington gave us some idea of the magnitude of the water that would be diverted at the rate of 1,000 cubic feet per second. Is it not a fact, that Chicago, for domestic pumpage today, diverts in addition to the 1,500 that is allowed for navigation another 1,800 cubic feet per second for domestic pumpage?

Mr. MACK of Washington. For domestic pumpage and for industrial use in the city of Chicago.

Mr. SCHERER. Is that water ever returned to the lake?

Mr. MACK of Washington. I am positive it is all returned to the Illinois Waterway. It goes eventually into the Mississippi. None of it goes back into Lake Michigan.

Mr. SCHERER. But not to the lakes?

Mr. MACK of Washington. That is correct.

Mr. SCHERER. Does any other city on the Great Lakes divert water for pumpage that is not returned to the lakes?

Mr. MACK of Washington. I do not believe so.

Mr. SCHERER. Now, if this additional 1,000 cubic feet per second is granted, that will make a total diversion at Chicago from the Great Lakes of 4,300 cubic feet per second, will it not?

Mr. MACK of Washington. The gentleman is correct.

Mr. CEDERBERG. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and twenty Members are present, a quorum.

Mr. MACK of Washington. Mr. Chairman, I yield 5 minutes to the gentleman from Wisconsin [Mr. WITHROW].

Mr. WITHROW. Mr. Chairman, I am opposed to the pending piece of legislation which would permit the diversion of 1,000 additional cubic feet of water from Lake Michigan at Chicago. I feel that this is entirely a local problem and I sincerely believe that if this bill is passed by the Congress and signed by the President, it will mean extensive and expensive litigation. Many eminent lawyers are of the opinion that Congress has not the authority or the jurisdiction to regulate the diversion of water from any of the Great Lakes. The attorney general of the State of Wisconsin particularly is very firm in his belief that the Supreme Court is the forum in which it should be decided. To me that seems very reasonable indeed, because when you divert water from Lake Michigan at Chicago, no matter how much that diversion may be, you lower the lake level on every one of the Great Lakes with the exception of Lake Superior. Certainly the people who live in the cities on the lakes will be affected adversely by a lowering of the lake level in their respective lakes. So to me it seems reasonable that this is a question for the Supreme Court to decide.

The Supreme Court as of April 21, 1930, did reduce the number of cubic feet that could be diverted at Chicago by 1,000 cubic feet per second.

In regard to the veto of the President on legislation similar to this, as stated by our good friend, the gentleman from Illinois [Mr. O'BRIEN], President Eisenhower as of September 3, 1954, vetoed the bill H.R. 3300, a similar bill, which provided for 1,000 cubic feet per second additional water to be diverted from Lake Michigan at Chicago. His reasons were as follows, and I quote from a copy of the veto message of September 3, 1954:

I am unable to approve the bill because, first, existing diversions are adequate for navigation on the Illinois Waterway and Mississippi River; second, the methods of control of lake levels and protection of property on the Great Lakes should be considered before arbitrarily proceeding with the proposed increased diversion; third, the diversions are authorized without reference to the negotiations with Canada; and fourth, the legitimate interests of other States affected by the diversion may be adversely affected.

Further in that message he goes on in detail to enlarge upon his objections to H.R. 3300, which is a measure similar to this one. In the bill before us today, not one single objection of the President has been met. I cannot for the life of me see how the President in good conscience can possibly sign this piece of legislation even though it were approved by both Houses of the Congress.

I am including herewith President Eisenhower's veto message of September 3, 1954.

LOWRY AIR FORCE BASE, DENVER—MEMORANDUM OF DISAPPROVAL

I have withheld my approval of H.R. 3300, "To authorize the State of Illinois and the Sanitary District of Chicago, under the direction of the Secretary of the Army, to help control the lake level of Lake Michigan by diverting water from Lake Michigan into the Illinois Waterway."

The bill would authorize the State of Illinois and the Sanitary District of Chicago, under the supervision and direction of the Secretary of the Army, to withdraw from Lake Michigan, in addition to all domestic pumpage, a total annual average of 2,500 cubic feet of water per second into the Illinois Waterway for a period of 3 years. This diversion would be 1,000 cubic feet per second more than is presently permitted under a decree of the Supreme Court of the United States dated April 21, 1930. The bill also would direct the Secretary of the Army to study the effect in the improvement in conditions in the Illinois Waterway by reason of the increased diversion, and to report to the Congress as to the results of the study on or before January 31, 1957, with his recommendations as to continuance of the increased diversion authorized.

The bill specifies that the diversion would be authorized in order to regulate and promote commerce, to protect, improve, and promote navigation in the Illinois Waterway and Mississippi Valley, to help control the lake level, to afford protection to property and shores along the Great Lakes, and to provide for a navigable Illinois Waterway. No mention is made of possible improvement of sanitary conditions or increase in hydroelectric power generation on the waterway.

I am unable to approve the bill because (1) existing diversions are adequate for navigation on the Illinois Waterway and Mississippi River, (2) all methods of control of lake levels and protection of property on the Great Lakes should be considered before arbitrarily proceeding with the proposed increased diversion, (3) the diversions are authorized without reference to negotiations with Canada, and (4) the legitimate interests of other States affected by the diversion may be adversely affected. I wish to comment briefly on each of these points.

I understand that waterborne traffic on the Illinois Waterway has grown in the last 20 years from 200,000 tons to 16 million tons annually. The Corps of Engineers advises, however, that the existing diversions of water are adequate for navigation purposes in the Illinois Waterway and the Mississippi River. Surveys are now underway by the International Joint Commission and the Corps of Engineers to determine the best methods of obtaining improved control of the levels of the Great Lakes and of preventing the recurrence of damage along their shores. Reasonable opportunity to complete these surveys should be afforded before legislative action is undertaken.

The diversion of waters into and out of the Great Lakes has historically been the subject of negotiations with Canada. To proceed unilaterally in the manner proposed in H.R. 3300 is not wise policy. It would be the kind of action to which we would object if taken by one of our neighbors. The Canadian Government protested the proposed authorization when it was under consideration by the Congress, and has continued its objection to this bill in a note to the Department of State dated August 24, 1954. It seems to me that the additional diversion is not of such national importance as to justify action without regard to the views of Canada.

Finally, as is clear from the report of the Senate committee, a major purpose of the proposal to divert additional water from Lake Michigan into the Illinois Waterway is to determine whether the increased flow will improve existing adverse sanitation conditions. The waters of Lake Michigan are interstate in character. It would seem to me that a diversion for the purposes of one State alone should be authorized only after general agreement has been reached among all the affected States. Officials of several States adjoining the Great Lakes, other than Illinois, have protested approval of the bill as being contrary to their interests and not in accord with the diversion authorized under the 1930 decree of the Supreme Court. Under all of these circumstances, I have felt that the bill should not be approved.

DWIGHT D. EISENHOWER.

THE WHITE HOUSE, *September 3, 1954*

You may speak about an inch not meaning much in the lowering of the lake level. It may not mean much when the lake level is up, but there is a cycle involved; there are times when the water is up and likewise there are certain times when the water is down. The testimony before the committee was to the effect that there would be a lowering of 1 inch in the lake level if 1,000 cubic feet per second were diverted at Chicago. What does that mean? Responsible people testified that a lowering of 1 inch in the lake level at a low-level time would adversely affect lake shipping to the extent of 1 million tons annually. Do you know that during World War I and World War II and during the Korean conflict, fortunately, we had high levels on the lakes.

Certainly we were very fortunate that the levels were high during these critical times.

This question of lowering lake levels by permitting diversion is fundamental. It not only can have an adverse effect upon our economy but it can also greatly impair our national defense effort. Even during the comparatively high lake level period we are now in, there are numerous ships plying the Great Lakes that are restricted in the amount of tonnage they can carry. When the St. Lawrence Seaway is completed, more vessels will have access to the Great Lakes and to Great Lakes ports, which will increase the tonnage adversely affected at the present time. I hope that H.R. 1 is defeated.

I want to quote from the testimony of Adm. Lyndon Spencer, president of the Lake Carriers' Association, in testifying before the committee on H.R. 1, the bill before us today:

The Congress has no moral or legal right, acting in the interest of Illinois, to experiment with property or assets belonging to the people of all the States and Provinces bordering the Great Lakes.

Additional diversion will result in irreparable loss and injury to the Great Lakes vessel industry, port facilities, and shoreside industries dependent upon lake-borne commerce.

Canadian rights to the waters of the lakes must be given full consideration, and this can be done only through an international body providing joint representation to both Canada and the United States.

Admiral Spencer informed the committee that the loss to shipping on the Great Lakes would amount to about $2 million annually; two-thirds of the damages would have to be borne by U.S. carriers and one-third by Canadian carriers. He explained his computation by saying that for each inch a ship is immersed the tonnage runs to a little over 100 tons; this loss per inch is multiplied by the number of trips a ship makes, which results in a total economic loss of 1 million tons annually on the basis of an additional diversion of 1,000 cubic feet per second.

Mr. ZABLOCKI. Mr. Chairman, will the gentleman yield?

Mr. WITHROW. I yield to the gentleman.

Mr. ZABLOCKI. I should like to ask the gentleman whether he could advise the House whether the President is going to veto H.R. 1 in this session of Congress?

Mr. WITHROW. I do not see how he can sign it in good conscience. Canada has protested, and it is a matter for the courts; it is not a matter for the Congress.

Mr. COLLIER. Mr. Chairman, will the gentleman yield?

Mr. WITHROW. I yield to the gentleman from Illinois.

Mr. COLLIER. Is the gentleman forgetting the St. Lawrence Seaway, which will more than compensate for any loss of shipping?

Mr. WITHROW. I have not forgotten about that, but I cannot see the sense in whittling out through the earth the St. Lawrence Waterway when you are going to permit the lakes to be lowered by diversion of water. You are working entirely at cross purposes.

Mr. ZABLOCKI. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. ZABLOCKI. Mr. Chairman, I want to reiterate my strong and continued opposition to the proposed legislation which would increase the rate of water diversion from Lake Michigan through the Chicago Sanitary Canal.

The district which I represent in the House of Representatives—the Fourth District of Wisconsin—lies on the very shores of Lake Michigan. The Milwaukee Harbor, our municipal port, and other public, industrial, and recreational facilities, located in my district, are closely affected by fluctuations in the level of Lake Michigan. It is for this reason that I am particularly concerned about this legislation, and its potential effect on the interests and the well-being of our people.

It is only fair to expect the interests of Milwaukee, and of all other Great Lakes communities, to be considered in determining the disposition of H.R. 1. If that will be the case, H.R. 1 will be soundly defeated by this House. I have no doubt about this, because the weight of evidence against the passage of this legislation is very considerable.

My objection to H.R. 1, based on past experience and the results of careful studies, can be summarized very briefly.

My first point is this:

Increased water diversion through the Chicago Sanitary Canal will permanently lower the level of Lake Michigan, and of other Great Lakes, to the detriment, first, of the navigation and shipping activities in our ports and harbors; secondly, of the use of our shores for recreational purposes; thirdly, of the hydroelectric power production in the Great Lakes Basin; and, fourthly, of the management and maintenance of the wildlife populations that abound these waters.

We know this from experience, as well as on the basis of recent studies, to wit, the study completed not long ago by the Corps of Engineers.

As to past experience, back in 1930, after almost 40 years of litigation between Chicago and the other States of the Great Lakes area, the Supreme Court of the United States pointed out that the Chicago water diversion up to that time had caused a permanent lowering of 6 inches in the level of the Great Lakes; that it had greatly damaged lake commerce by decreasing the cargo capacity of lake vessels; that it had damaged beaches, fisheries, and recreational areas; and that it had caused a permanent lowering of the water table in the Great Lakes region with great damage resulting to docks, harbor facilities, and building foundations.

It was for these reasons that the Supreme Court ruled that the rate of diversion then in effect through the Chicago Sanitary Canal should be reduced gradually from 10,000 cubic feet per second to 1,500 cubic feet per second. The decision of the Court proved to be very wise.

Now I realize that H.R. 1 proposes only what is referred to as a "temporary and experimental" increase in the rate of diversion. The fact remains, however, that even such a limited increase will lower the level of the Great Lakes. Further, this temporary and experimental increase can well become the "foot-in-the-door" which will lead to larger, and permanent, increases. For this reason, I must oppose it.

My second point is this:

Placing aside for a moment the fact that the communities on the shores of the Great Lakes, with the exception of Chicago, oppose this legislation in the sincere and substantiated belief that it will cause all of us harm, no bona fide case has been presented by Chicago to show the necessity for overcoming these objections and enacting H.R. 1.

This legislation is not required for reasons of public health. There is no evidence—at least none has been presented—to show that the health of the people of Chicago will be jeopardized if the rate of diversion is not increased.

Further, the proposed increased rate of diversion is not necessary for navigation of barges in the waterway which connects with the Chicago Sanitary Canal. The Army Corps of Engineers arrived at this conclusion on the basis of their study—and no one in Chicago has successfully challenged their opinion.

Finally, the proposed increase is not absolutely necessary to help Chicago solve its sewage problem. Every single municipality on the Great Lakes, except Chicago, returns to the Great Lakes the water which it has extracted, used, and purified through sewage treatment plants. I see no reason why Chicago should not do likewise. As a matter of fact, the only excuse that can be offered for Chicago's refusal to return the water to Lake Michigan is that it would cost money to do so. This is no valid reason, let alone a legal defense. The Chicago metropolitan area is a thriving community, and it can well afford to construct and operate the works that are necessary to return to Lake Michigan the effluent which is discharged by its plant after adequate treatment.

My third and final point is this:

Both the United States and Canada have a common interest in maintaining the integrity of the water in the Great Lakes Basin. We have a treaty with Canada on this subject. Further, Canada has objected to the proposed unilateral increase in the diversion through the Chicago Sanitary Canal. Now I believe—all other things being equal—that this fact alone should argue strongly against any unilateral action on our part, action which could damage our good relations with Canada, and work to the detriment of our national interests in the future.

That is all that I have to say. I believe that the reasons which I have summarized argue strongly against the enactment of H.R. 1. I hope that this bill will be defeated, and I shall vote against it.

Mr. GROSS. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count. [After counting.] Seventy-three Members are present, not a quorum.

Mr. BLATNIK. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. HARRIS) having assumed the chair, Mr. SISK, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 1) to require a study to be conducted of the effect of increasing the diversion of water from Lake Michigan into the Illinois Waterway for navigation, and for other purposes, had come to no resolution thereon.

AREA REDEVELOPMENT LEGISLATION

Mr. LANE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. LANE. Mr. Speaker, communities where people live and work were never intended to be unchanging clusters of factories and stores and homes and public buildings. They are not confined by walls and moats. Even buildings and factories grow old and die, and industries come and go.

Through its slum clearance and urban renewal programs, the Federal Government has recognized its responsibility in assisting the communities to tear down and rebuild the deteriorated areas that are no longer fit for human habitation or for retail enterprise. It owes a similar responsibility toward the ancient, rundown, and abandoned industrial areas of these communities, in order to revitalize their economies.

The decline of local industrial economies, followed by chronic unemployment, is a postwar problem that cannot cure itself. Some of the affected communities, based upon an older industry that is steadily contracting, or has moved away, have been bogged down in the surplus labor category, for the past 7 years. Meanwhile, the empty and obsolete factory buildings are a drag upon the life of the whole community.

Our experience with this problem has proved that local groups and local initiative, despite valiant and partially successful efforts, cannot complete the heroic task of redevelopment without help from outside. Show me just one community, suffering from prolonged labor surplus, that has managed to lick this problem entirely by itself.

The danger of industrial blight is one that, sooner or later, can affect the economic health of any community, and that is the reason why we must have national legislation, providing adequate remedies, to help the distressed areas of tomorrow as well as those of today.

The old textile, coal mining, and railroad centers, are the current victims. But other communities are in the first stages of infection, and are refusing to admit the symptoms.

When I first introduced an industrial redevelopment bill in 1953, the suggestion was slow to win support. Within a few years, as the problem continued to plague many communities, public opinion gave more and more support to the need for legislation along these lines.

A pledge to aid chronically distressed areas was written into both the Democratic and the Republican Party platforms. In 1958, the House and the Senate passed an area redevelopment bill that was vetoed by the President. In the congressional election of last fall, the results in those areas of chronic unemployment, reflected public repudiation of the President's delaying action. I say "delaying" because the need for area redevelopment legislation is plain for all to see. The only question is: How soon and to what extent?

I believe that the composition and the viewpoint of the present Congress will insure passage of this legislation, even if it has to override another veto but with plenty of votes to spare.

For this program to be more than a half-hearted gesture, it must provide financial assistance for industrial and commercial facilities from revolving funds of $100 million for urban redevelopment areas and a like fund for rural redevelopment areas; grants up to $75 million for community public facilities; at least $5 million for technical assistance; and provision for suitable retraining for the unemployed.

To assist our expanding economy, we must be original in our thinking and flexible in our planning. Area redevelopment legislation meets these modern requirements. As it limits eligibility to those communities that have had substantial unemployment over a period of time sufficient to prove that the distress is not due to seasonal or other temporary factors, it will apply only to those areas that are clearly in need of help. When its mission has been accomplished, and the area has been restored to economic health, there will be no further need of Federal participation. Bear in mind also that the major emphasis is on loans, which, as they are repaid, will restore the capital to asist other affected communities in the future.

This is the type of pioneering that proves the capacity and the wisdom of our Federal union in coping successfully with any problem that may arise.

I am convinced that by the enactment of legislation to promote area redevelopment, we shall be able to help depressed communities so that they shall share as equals in our national progress.

IS FRANCO EITHER FRIEND OR ALLY?

Mr. PORTER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Oregon?

There was no objection.

Mr. PORTER. Mr. Speaker, is Franco a friend? I believe that it is clear he is not. This can be demonstrated beyond any doubt, despite the statements and actions of our Ambassador to Spain, Mr. John Davis Lodge.

Is Franco an ally? He is, but not a very good or dependable one. He has allowed us to build and occupy valuable military bases in Spain.

Should this House again vote to urge Spain's admission to the NATO alliance?

This has been proposed by House Concurrent Resolution 29 by the distinguished gentleman from Pennsylvania [Mr. WALTER].

It is my hope that the Foreign Affairs Committee will fully consider this proposal, and take into account, among other things, the following ten facts, each of which will be separately explained:

First. Franco was morally and actually on the Axis side in World War II.

Second. The U.S. Ambassador to Spain, John Davis Lodge, contrary to Dr. Milton Eisenhower's recent recommendation which the President endorsed, publicly advocates an abrazo—embrace—for Spain from the United States.

IMPORTANCE OF U.S. AID HIDDEN

Third. Even though our aid to Franco Spain now amounts to almost $2 billion, Franco's policy has been to hide the extent and importance of this aid. He claims that current Spanish inflation is caused by the construction of American bases.

Fourth. U.S. economic aid has not helped solve the country's economic problems but has merely permitted the Government to avoid facing them.

Fifth. Spaniards persist in smuggling large sums out of the country, hedging against both inflation and the fall of Franco.

Sixth. The Spanish Government has been selling at a big profit cotton purchased from the U.S. under the surplus agricultural disposal programs.

Seventh. We have no binding assurances that we will be able to use our military installations on Spanish soil in case of war.

Eighth. The people of Spain do not like us because they believe us responsible in large part for their bad economic situation and because we appear to be closely identified with Franco.

Ninth. The U.S. message of freedom and democracy is not reaching the Spanish people.

Tenth. Communist support grows under Franco.

The explanation of these points follows:

FRANCO DOESN'T LIKE US

First. Franco was morally and actually on the side of the Axis in World War II.

Franco does not like us, or Britain or France. He never has. He plotted and fought against us in World War II.

On March 4, 1946, 13 years ago, our Department of State publicly announced that France, the United Kingdom and the United States had agreed that—

So long as General Franco continues in control of Spain, the Spanish people cannot anticipate full and cordial association with those nations of the world which have, by common effort, brought defeat to German Nazism and Italian Fascism, which aided the present Spanish regime in its rise to power and after which the regime was patterned.

There is no intention of interfering in the internal affairs of Spain. The Spanish people themselves must in the long run work out their own destiny. In spite of the present regime's repressive measures against orderly efforts of the Spanish people to organize and give expression to their political aspirations, the three governments are hopeful that the Spanish people will not again be subjected to the horrors and bitterness of civil strife.

On the contrary, it is hoped that leading patriotic and liberal-minded Spaniards may soon find means to bring about a peaceful withdrawal of Franco, the abolition of the Falange, and the establishment of an interim or caretaker government under which the Spanish people may have an opportunity freely to determine the type of government they wish to have and to choose their leaders. Political amnesty, return of exiled Spaniards, freedom of assembly and political association and provision for free public elections are essential. An interim government which would be and would remain dedicated to these ends should receive the recognition and support of all freedom-loving peoples.

Such recognition would include full diplomatic relations and the taking of such practical measures to assist in the solution of Spain's economic problems as may be practicable in the circumstances prevailing. Such measures are not now possible. The question of the maintenance or termination of the Governments of France, the United Kingdom, and the United States of diplomatic relations with the present Spanish regime is a matter to be decided in the light of events and after taking into account the efforts of the Spanish people to achieve their own freedom.

How far afield we have strayed from these noble words.

As item A following these remarks I am appending the entire State Department pamphlet of which the above statement is the introduction.

The pamphlet is entitled "The Spanish Government and the Axis, Official German Documents" and was published by the Department of State in March 1946. Newspapermen have had trouble finding copies. We ought to be reminded of Franco's role in World War II. The communications among Franco, Hitler, and Mussolini make interesting reading—the significance of which, in the case of Franco, is more than historical.

AN ABRAZO? FOR WHAT?

Second. The U.S. Ambassador to Spain, John Davis Lodge, contrary to Dr. Milton Eisenhower's recent recommendations which the President endorsed, publicly advocates an abrazo—embrace—for Spain from the United States.

The United States has become closely associated with the Franco regime in the eyes of many Spaniards. This is inevitable when a series of U.S. bases is being operated in Spain and the Spanish Government receives military and economic aid from the United States, even if the Spanish people are not generally aware of the extent of this aid.

The United States has gone further, however, and has made a special point of emphasizing its friendship with Spain. One recent example of this is contained in a speech delivered by U.S. Ambassador John Davis Lodge before the Spanish Institute at New York. Mr. Lodge said:

> Our relations with that great nation (Spain), to which America owes so much of its heritage, have progressed so steadily that today I would not hesitate to call them exemplary. As in relations between people, relations between nations must go through various stages, from the somewhat cool first handshake to the informal and heartfelt abrazo. I believe that we have reached with Spain the stage of the abrazo (the embrace). In the two-way street of friendship and association, this stage can only be reached through mutual respect and sincerity. (U.S. Department of State Bulletin, December 15, 1958, p. 963.)

This assertion by Ambassador Lodge contrasts strangely with the recommendations made by Milton Eisenhower a few weeks later when he reported to the President on our Latin American relations. Milton Eisenhower said:

> I believe the suggestion of Vice President NIXON is sound and would be applauded by Latin America itself—that we have an abrazo for democratic leaders, and a formal handshake for dictators. Trivial as this may sound, I recommend that it be our official policy in relations with Latin American leaders and nations. (Dr. Milton S. Eisenhower, report to the President, "United States-Latin American Relations, December 27, 1958"; Department of State publication 6764, 1959, p. 15.)

It is difficult to see why the United States should embrace the dictator of Spain but not the dictators of Latin America. It would seem more consistent to adopt the policy of a handshake toward dictators everywhere.

Third. Even though our aid to Franco Spain now amounts to almost $2 billion, Franco's policy has been to hide the extent and importance of this aid. Instead, he claims that current Spanish inflation is caused by the construction of American bases.

AID TO SPAIN—HOW MUCH?

Spain has been one of the leading recipients of U.S. assistance since 1953, but the exact sum of this aid is the subject of controversy.

The officially announced totals for aid actually transferred to Spain are:

	(*Millions of dollars, or equivalent*)
Grants (nonmilitary from fiscal year 1946 through 1958)	$343.02
Mutual security aid	257.48
Agricultural commodities through private agencies	65.33
Military equipment loans	20.234
Aid to Spanish dependencies	.066
Loans and other credits utilized (fiscal year 1941 through 1958)	142.58
Export-Import Bank (directly and through agent banks)	50.49
Mutual security program	81.92
Mutual security under Agricultural Trade Development and Assistance Act	10.18
(In addition there was $162.56 millions in unutilized loans and credits available on June 30, 1958. Most of this sum resulted from the Agricultural Trade Development and Assistance Act)	
Military aid	239.0
The Department of Defense announced on Oct. 7, 1958, that $239 million in military aid had already been provided to Spain.	
Total officially announced in these categories	724.6

Unofficial estimates of U.S. aid provided to Spain considerably exceed the official figures.

The New York Times reported on January 3, 1959, that Spain had received $350 million in arms aid and $894 million in varying types of economic aid, including $351 million in commodities and $100 million in foodstuffs distributed through American Roman Catholic charities. This would make a total of $1,244 million.

The Times does not specify exactly what it considers as foreign aid. This figure may include the sale of U.S. surplus agricultural commodities to Spain in return for Spanish pesetas rather than dollars. Commodities have been sold in this way for about a $380 million equivalent in pesetas. Some of these peseta funds are included in the official totals above, however, when they are later loaned or granted to Spain. About $115 million equivalent in Spanish pesetas have been granted or loaned to Spain from these funds.

Nor does the Times specify whether its reported figures represent aid actually transmitted to Spain, or merely authorization and commitments. These, of course, run substantially ahead of actual transfers. The official U.S. figures cited above represent only the aid which has been transmitted. And they do not include the value of agricultural commodities sold to Spain for pesetas unless this money was later loaned or granted to Spain.

If the sale of agricultural surplus commodities to Spain is added to the categories of aid listed in the official figures above, it would add about $206 million making the total aid value $930.6 million rather than $724.6 million. The figure of $206 million represents the present value in dollars of the Spanish pesetas in U.S. accounts that have been derived from the sale of surplus agricultural products and which have not been loaned and granted to Spain.

Some unofficial accounts of U.S. aid to Spain also include the cost of constructing the U.S. base system in Spain, usually estimated at about $400 million. Some feel this is at least indirect foreign aid since the base agreement (1953) provides that the bases and all permanent construction located there will revert to Spain when the agreement is terminated. The agreement runs for 10 years, with two planned renewals of 5 years each.

The full $400 million cannot be considered aid, however, since most of the local construction and materials costs were paid for out of the Spanish counterpart funds and did not involve a new outlay of U.S. dollars. Counterpart funds are foreign owned, but jointly controlled funds generated by the sale within a foreign country of U.S. grant aid. It has been estimated that perhaps $75 million of the $400 million total base construction funds came from the Spanish peseta counterpart funds.

The London Economist also provided an estimate of U.S. aid to Spain in its issue for January 17, 1959. The Economist reports that economic aid has passed the $1 billion mark. It also includes $350 million for base construction and $400 million in military aid for modernizing the Spansh armed forces. Together, these forms of aid total $1,750 million. The Economist, like the Times, does not itemize what it considers to be economic aid so that it is difficult to compare these unofficial estimates with the official ones in any kind of responsible way.

If the Economist's aid totals are used it is possible to estimate that Spain has received an average of approximately $300 million in U.S. aid each year since 1954. A rough idea of the significance of this aid to the Spanish economy can be had by comparing the Spanish foreign trade deficit with the value of aid received.

FINANCING THE DEFICIT

In 1957 the total Spanish trade deficit was at a record high of $387 million and preliminary estimates place the 1958 figure at approximately the same level. If the Economist's aid total is used it may be said with some oversimplification that the United States has been financing most of the Spanish foreign trade deficit during the last 2 years.

Despite the magnitude of U.S. aid and its importance to Spain, the Spanish Government has generally seen fit not to give publicity to the actual dimensions of this aid. The policy of the Spanish Government as it has been reported by foreign correspondents in U.S. newspapers is to say there has been too little U.S. aid without, however, citing any figures, and then to claim that the current Spanish inflation results from construction of the American bases.

Recently this situation has been corrected somewhat by the widespread publicity in Spain given to statements

by U.S. Ambassador John Davis Lodge citing total aid figures and refuting the charge that the American bases have caused Spanish inflation. In January 1959, for instance, the weekly Spanish news magazine, SP, carried a five-page interview with Ambassador Lodge which dealt at length with the bases and the aid program.

Finally, it should be noted that the Spanish Government has appealed for increased U.S. aid. The New York Times reported on January 3, 1959, that Gen. Antonio Barroso, Spanish War Minister, recently had visited Washington and requested help in modernizing five Spanish divisions at an estimated cost of $400 million.

In general, U.S. aid to Spain is regarded as a quid pro quo for the American bases. The development of ICBM's by the Soviet Union has increased the vulnerability of the Spanish bases to Soviet attack and Spain is requesting more aid, partially in recognition of this new situation.

Press reports also indicate that some Spaniards have come to look upon U.S. economic aid as a kind of Spanish Marshall plan that should be designed to develop the national economy. When considered from this perspective, the American aid is felt by the Spanish Government to be insufficient.

At the same time there is little indication that the United States has conceived of the Spanish aid program as one aimed at the economic development of the nation. The United States has assumed that its economic aid to Spain has been designed to support the military aid program and as compensation for base rights.

There is little to suggest that the U.S. economic aid to Spain is intended for the purposes of thoroughgoing economic development. Some accounts do suggest, however, that the United States originally hoped to stimulate economic development and a liberalizing political trend through the aid program. If this ever was a major purpose it surely has failed.

QUESTIONS ARE RELEVANT

Because the Spanish aid program is mainly on a quid pro quo basis does not mean it is completely irrelevant to ask questions concerning the use of these funds. First, it may be questioned whether expensive military aid should be provided when it is unrelated to building the necessary defenses of the recipient country against external aggression. This appears to have been the case in Spain.

A report prepared for the Senate Special Committee To Study the Foreign Aid Program by the Institute of War and Peace Studies of Columbia University included the following reference to the military aid program in Spain:

> Spain furnishes the best illustration of a country which seems to have been granted aid on a straight quid pro quo basis. The United States wanted rights to build and maintain air and naval bases at given locations in the country, and the Spanish Government wanted hundreds of millions of dollars worth of certain specified types of military hardware. It was probably not a coincidence that Spanish sights were set at a level which reflected provisions written into mutual security legislation making available at least $225 million for Spain before the negotiations were concluded. The bargain was struck at about that level, making the Spanish case the outstanding example of a substantial grant of military aid in which the immediate American security interest was not to increase the aided country's own military power. This is not to say that modernized, effective Spanish armed forces might not prove useful in certain future contingencies, but rather that, for a variety of reasons, including Spain's exclusion from NATO, her forces were not likely to have a role in Western European defense which justified about $225 million worth of military aid at that time. (U.S. Congress, Senate, Special Committee To Study the Foreign Aid Program; Foreign aid program, compilation of studies and surveys; S. Doc. No. 52; 85th Cong., 1st sess., 1957; pp. 949–950.)

HAVE ECONOMIC REFORMS BEEN MADE?

Fourth. U.S. economic aid has not helped solve the country's economic problems but has merely permitted the government to avoid facing them.

There is good evidence to suggest that the Spanish Government despite its interest in a Spanish Marshall plan has failed to make the necessary economic reforms that make economic development a real possibility.

As a result, the U.S. economic aid has not helped solve the country's economic problems but has merely permitted the Government to avoid facing them. The Franco government has pushed industrial expansion by the importation of foreign machinery so fast that the nation's gold reserves have dwindled to $57 million, which is the untouchable minimum required to cover the national currency. Industrialization has been pushed forward at the expense of agricultural needs. The Government has further increased the country's economic problems by failing to disturb vested economic interests, by resisting foreign capital investment, and by excessively controlling private economic activity. See the Economist, January 17, 1959, page 229.

INFLATION IN SPAIN

The nation is in the midst of a spiraling inflation that has made the cost of living soar 40 percent in the last 2 years, thus wiping out the benefits of large wage increases decreed in the fall of 1956 and pricing Spanish goods out of foreign markets, thus reducing her exports.

Spain looks to the United States for help in extricating it from the increasing economic difficulties. But unless Spain is willing to undertake economic reforms it is doubtful whether further economic aid will help resolve the economic difficulties. It may perhaps be true that even though economic aid is provided for political and military reasons it still must be used in an economically rational manner or the result will be to increase the total problems facing the receiving country.

Fifth. Spaniards persist in smuggling large sums out of the country, hedging against both inflation and the fall of Franco.

Another reported problem which may illustrate the Government's failure to marshal national resources for its own economic development is the recent financial scandal involving the flight of hundreds of millions of dollars worth of Spanish pesetas to Switzerland. These are smuggled out of the country and deposited in private Swiss bank accounts by individual Spanish citizens. This has been happening for some years, but in December 1958 it was announced that some $100–$400 million worth of pesetas had been smuggled out in the preceding 2 months alone. These sums are highly important in the present perilous Spanish economic situation. Yet it is widely rumored but not confirmed that many of the highest government officials have been participating in this flight of the peseta. The Spanish Government has ordered an investigation, but little has been made public. The New York Times, December 17, 1958, in commenting on the scandal said:

> Spanish citizens hedging against mounting inflation here, others desirous of secreting foreign currency abroad for travel or purchasing puposes, and still others fearful of disturbances in Spain when Generalissimo Franco passes from the scene, have been exporting pesetas for years and selling them at a discount for whatever dollars, sterling or Swiss francs they could get.

When economic aid is provided as a noneconomic quid pro quo in Spain, the United States is often deprived of the leverage for achieving necessary local reforms which a program of this magnitude would normally be expected to provide. Spain feels that the United States needs the base system as much as Spain needs American aid. This country therefore does not seem to be in a position to curtail the aid program without inflicting an equal or greater injury upon itself, possibly by making American use of the bases somewhat more ambiguous than it is now.

See item B appended after these remarks.

A PROFIT AT U.S. EXPENSE

Sixth. The Spanish Government has been selling at a big profit cotton purchased from the United States under the surplus agricultural disposal programs.

Examples of the United States failure to exact Spanish economic reforms have been made public. Most recently, this country has been unable to have Spain change its pricing policies on the cotton which it buys from the United States under the surplus agricultural disposal programs in return for Spanish pesetas and then sells to the Spanish people. The Government sells this cotton to Spanish spinning mills at a significantly higher price than it pays the United States for the cotton—U.S. Congress, House Committee on Appropriations, Department of Agriculture appropriations for 1960, hearings, part 1, 86th Cong., 1st sess., 1959, page 207.

SPECIFICS ARE LACKING

Seventh. We have no binding assurances that we will be able to use our military installations on Spanish soil in case of war.

Under the terms of the defense agreement signed between Spain and the United States on September 26, 1953—TIAS 2850—the United States was permitted to construct, maintain, and use

military installations on Spanish soil in cooperation with Spanish armed forces. In theory the bases are to be used jointly by the two countries.

They remain under the Spanish flag and command, and at the termination of the agreement revert to full Spanish control. The agreement states that, "the time and manner of wartime utilization of said areas—bases—and facilities will be as mutually agreed upon."

The base agreement, therefore, does not specifically provide for United States use of the bases in wartime. It is reported that a verbal agreement exists to the effect that the United States will be able to use the bases, but this has not been put in writing. The absence of written permission has been questioned by many observers.

In 1955, Secretary of the Air Force Talbott was asked by a Washington reporter whether the agreement with Spain did not provide only for the peacetime use of the bases. He replied, "Well, who's going to stop us? There are certain agreements on the use of the bases, but when the balloon goes up we are going to use them." It seems clear that in the last analysis the wartime use of the bases depends on the consent of the Franco government or whatever one succeeds it. It is perhaps open to question whether this is a satisfactory guarantee for the United States to plan the use of the Spanish bases in a future emergency.

It was noted earlier that $350 to $400 million is the generally accepted unofficial figure for the cost of constructing the bases. This is higher than was expected at the beginning of work. In 1954 it was reported that the total construction program in Spain was to cost $216 million—U.S. Congress, Senate, Appropriations Committee, special report on Spain and French Morocco, by Hon. DENNIS CHAVEZ; 83d Congress, 2d session, 1954, page 2:

> The following is the list of airbases, all belonging to the 16th Air Force stationed in Spain: Torrejón de Ardoz, near Madrid; Sanjurjo, near Zaragoza; San Pablo, near Sevilla; Morón de la Frontera, southeast of Sevilla; and Rota, on the northern entrance to the Bay of Cadiz.
>
> The list of the naval bases is as follows: El Ferrol, in Galicia, which has always been the largest naval port of the Iberian Peninsula and one of the largest natural ports of Europe (it has, in addition, the distinction of being General Franco's birthplace); Rota, which is not only an airbase, but also the largest American naval establishment in Spain, from where the nearly 800-kilometer pipeline supplying all American bases, with the exception of El Ferrol, leads to Zaragoza via Sevilla, Ciudad Real, and Loeches. Beyond its special significance as a combined air and naval base, Rota is important as a subsidiary of Gibraltar, the latter's runways being too short for certain types of planes, and its waters not deep enough to accommodate warships of the *Forrestal* type.
>
> The whole system of American bases is completed by a number of air warning stations which are a part of the American early warning network spread across Western Europe.
>
> Contrary to an opinion widespread among the population of Spain, the size of the American mission is small. It totals 20,000 persons, including the families, about 7,000 men being ready for combat.

Eighth. The people of Spain do not like us because they believe us responsible in large part for their bad economic situation and because we appear to be closely identified with Franco.

Reports from Spain hold that there is a general local hostility toward the U.S. bases on the part of the Spanish people despite the scrupulous American efforts to avoid this hostility. The American mission, including families of servicemen, total about 20,000 persons, most of whom are stationed on the premises of the bases themselves. When off base the American forces do not appear in uniform and are careful to avoid discussing political topics. Violations of discipline are severely punished. In general, their lives are isolated since they have their own stores, clubs, and restaurants. Despite all this, the Spaniards have a general distrust, prejudice, and antipathy toward foreign troops stationed in their country.

Hostility toward the American forces in Spain and the bases is increased by the Spanish Government's public accusations that they are a major cause of the current Spanish inflation. Referring to these charges, Ambassador Lodge said last year:

> It is true that through the construction of military bases some additional pesetas have been placed in circulation. But about two-thirds of the base construction costs are paid for in dollars made available by the United States in the form of equipment, supplies, and services. The peseta costs, which are met not from the Spanish budget but from the counterpart funds generated by American aid, have been more than matched by imports to absorb the additional purchasing power created. (Quoted in Christian Science Monitor, June 21, 1958.)

Finally, it should be noted that hostility toward the American bases and Armed Forces also flows from the fact that many Spaniards who are out of sympathy with the Franco government look upon the bases and American aid as one of the Government's major supports. Antipathy toward the Franco dictatorship thus becomes antipathy toward the United States in some cases. C. L. Sulzberger, a New York Times correspondent, wrote recently from Madrid:

> Intellectuals and university students see Washington as a principal prop for the Caudillo (Franco). They begin to identify us with his stultified regime. Unreasonably, some conclude that we prefer to keep Spain underdeveloped and dictatorially controlled. (New York Times, Feb. 9, 1959.)

LET'S USE OUR "VOICE"

Ninth. The U.S. message of freedom and democracy is not reaching the Spanish people.

The United States has little opportunity to present American policy to the Spanish people and as noted earlier, the Spanish Government has been reticent about informing its people of the actual dimensions of U.S. aid. The U.S Information Agency offices in Spain have publicized our aid program, but this is a very modest activity, which is not widely seen by the people.

The United States has not even been able to use the Voice of America to reach the Spanish people. We do not beam any program directly to Spain. Instead we provide programs on tapes to the Spanish Government which it uses at its own discretion. These tapes are weekly cultural programs and a series of 2- to 3-minute excerpts from speeches by the President or other prominent Americans. The Spanish Government has not signified its willingness to accept any other American programs.

Taped broadcasts instead of live programs are used by the Voice throughout Western Europe, so that Spain is not an exception here. In each case the local government determined what it will use and attributes the material to the Voice according to its own wishes. It should be noted, however, that in general the other Western European countries are willing to use a much greater variety of Voice taped programs than is Spain.

Voice of America programs are beamed directly to Yugoslavia and that Government does not jam the programs. A case might be made for treating Spain like Yugoslavia in regard to Voice of America broadcasts. Both are on the fringes of Western Europe. Both are dictatorships. In both instances it seems important for the United States to have increased means of presenting its own story to the local people.

COMMUNIST SUPPORT INCREASING

Tenth. Communist support grows under Franco.

According to official United States estimates the Communist Party in Spain has only 5,000 members, though some responsible commentators cite reports that its supporters may number in the hundreds of thousands. The strength of the Spanish Communist Party and its operations are cloaked in considerable secrecy and there is disagreement as to its relations with the Franco government.

There is a widespread feeling among those writing about Spain today that although the Communist Party has been insignificant up to now, it may become a potent force in the near future by picking up strength from the rising Spanish opposition to the Franco government. The Communist Party's current program aims at a united front of all anti-Franco parties and groups directed at reasserting Spain's historic policy of neutrality.

On the other hand one report concludes that the Spanish Communist line has now changed to collaboration with the Franco government in a joint opposition to the non-Communist anti-Franco groups. According to this report, the Government is presumed to have ceased its attacks on the Communist Party and in return the Communists have ceased making anti-Government broadcasts into Spain from Eastern Europe—reported in Iberica, December 15, 1958, page 4. It has not been possible to check completely on the accuracy of this report. It has been ascertained, however, that the Communist radio broadcasts have not been silenced, but continue as in the past to support the local party line. In return, the Spanish Government radio blasts back at the Iron Curtain countries in Czech, Russian, Polish, Chinese, and so forth.

Many commentators on the Spanish scene seem to feel that the tactics of the Franco government, in stifling all

opposition at the same time the country is going through a severe economic crisis, may tend to weld the anti-Franco forces together. This could benefit the Communist united front position. Some commentators even claim that disillusion with the present state of Spanish affairs has spread to the Falange Party itself. C. L. Sulzberger, writing in the New York Times, from his present post in Spain says:

Some Falangists recognizing the failure of their own system, are attracted by the new Communist line: "Let us forget the past and achieve national unity." Students sent by the party to agricultural Andalusia, draw glowing pictures of the Soviet collective system. Poor peasants can be heard to mutter: "When the Russians come we shall welcome them." (Feb. 11, 1959.)

THE PICTURE IS MUDDY

The picture of communism in Spain today is so confusing that it is impossible to draw many dependable conclusions until much greater information is available. It does seem clear, however, that support for the Communist position is growing in Franco's Spain today. Opposition to the Franco regime is rising and the Government has recently repressed several opposition groups.

It is also clear that the U.S. foreign aid program has not been the instrument to undercut whatever communism there was in Spain. Foreign aid has contributed to the growing industrialization of the country. But Spain might be suggested as almost a classic example of an instance in which economic development has heightened internal problems because the local government has not been willing to adopt strict and responsible policies that would make development a success.

Is Franco our friend?

He was not during World War II. He thought our victory would mean his downfall.

Why does Ambassador Lodge believe that Franco's Spain merits our embrace? A Spain that has been saved from economic collapse by U.S. funds. A Spain that gives us no firm assurance we can use our bases in time of war. A Spain with a leader who blames the United States for economic woes when he knows that our help has been essential.

It is clear that Franco is not our friend. It is also clear that we do not want him as a friend, any more than we wanted his friends Mussolini, deceased; Hitler, deceased; Trujillo, tottering; Perón, deposed; Pérez Jiménez, deposed; or Batista, deposed.

But we do need those bases so we have to deal with him, at least until our ICBM's are sufficiently operational. Very well, let us deal with him at arm's length and, as absolutely necessary, a formal handshake. We are paying value to him.

PUT IT IN WRITING

Let us insist on a written agreement as to the use of our bases in case of war. Let us stipulate, as a condition to further aid, that the facts about this aid be known to the Spanish people—and through more channels than our Franco-philic Ambassador.

PUT IT ON THE AIR

Let us also beam radio broadcasts into Spain to tell the Spanish people about our freedom and democracy. We do not do this now, but eight Soviet stations regularly give the Communist side to the Spanish people.

Franco's hold on Spain is weakening. Who will succeed him is by no means clear in Spain or elsewhere. None knows the date of Franco's death. All we know for certain is his final resting place in solitary grandeur in the Valley of the Fallen. Anyone who wants to look at the facts, some of which are stated above and more of which are appended, can predict that his successor will be anti-United States unless our policies and our Ambassador are quickly and forthrightly changed.

We need Franco as an ally but we do not have to compromise our deepest traditions to curry his favor, any more than we have to treat Trujillo as though we respected him and his despotic government.

LET US LEAD AS WE SHOULD

Vice President NIXON phrased it, Milton Eisenhower recommended it, and President Eisenhower endorsed it—an embrace for democratic leaders and a formal handshake for dictators. Now is the time to start carrying out this inevitable, commonsense policy in this hemisphere and throughout the world.

The United States can successfully lead the freedom-loving people of the world to better days, and away from godless mechanistic communism, only by holding fast to the Christian principles of individual freedoms on which our Nation was founded as it was born in a revolution against a tyrant.

ITEM A

THE SPANISH GOVERNMENT AND THE AXIS

I. STATEMENT BY THE DEPARTMENT OF STATE [1]

The Governments of France, the United Kingdom, and the United States of America have exchanged views with regard to the present Spanish Government and their relations with that regime. It is agreed that so long as General Franco continues in control of Spain, the Spanish people cannot anticipate full and cordial association with those nations of the world which have, by common effort, brought defeat to German nazism and Italian fascism, which aided the present Spanish regime in its rise to power and after which the regime was patterned.

There is no intention of interfering in the internal affairs of Spain. The Spanish people themselves must in the long run work out their own destiny. In spite of the present regime's repressive measures against orderly efforts of the Spanish people to organize and give expression to their political aspirations, the three Governments are hopeful that the Spanish people will not again be subjected to the horrors and bitterness of civil strife.

On the contrary, it is hoped that leading patriotic and liberal-minded Spaniards may soon find means to bring about a peaceful withdrawal of Franco, the abolition of the Falange, and the establishment of an interim or caretaker government under which the Spanish people may have an opportunity freely to determine the type of government they wish to have and to choose their leaders. Political amnesty, return of exiled Spaniards, freedom of assembly and political association and provision for free public elections are essential. An interim government which would be and would remain dedicated to these ends should receive the recognition and support of all freedom-loving peoples.

Such recognition would include full diplomatic relations and the taking of such practical measures to assist in the solution of Spain's economic problems as may be practicable in the circumstances prevailing. Such measures are not now possible. The question of the maintenance or termination by the Governments of France, the United Kingdom, and the United States of diplomatic relations with the present Spanish regime is a matter to be decided in the light of events and after taking into account the efforts of the Spanish people to achieve their own freedom.

[1] This statement was released to the press by the Department of State on March 4, 1946.

II. DOCUMENTS [2]

No. 1, memorandum by the German Ambassador in Madrid

BERLIN, *August 8, 1940.*

OPERATION GIBRALTAR

Conditions for Spain's entry into the war:

According to a memorandum presented in June of this year by the Spanish Embassy, the Spanish Government declares itself ready, under certain conditions, to give up its position as a "nonbelligerent" state and to enter the war on the side of Germany and Italy. The Spanish Foreign Minister, and also the Minister of the Interior, have up until the last few days repeatedly pointed out this Spanish offer to me, so that it may be assumed that Spain even today will keep its promise made in June.

As conditions for entry into the war, the Spanish Government cites the following:

1. Fulfillment of a set of national territorial demands, Gibraltar, French Morocco, that part of Algeria colonized and predominantly inhabited by Spaniards (Oran), and further the enlargement of Rio de Oro and of the colonies in the Gulf of Guinea;

2. Making available military and other assistance required for carrying on the war.

The memorandum of Admiral Canaris enclosed here [3] gives detailed information regarding the extent of military assistance apparently necessary.

Besides this military assistance, however, economic support of Spain will also be necessary. To this belong, above all else, the delivery of gasoline and, at the beginning of next year, delivery of grain for bread. According to a recent utterance of the Spanish Minister of Foreign Affairs (of the 3d of this month) Spain, due to its shortage of gasoline, can wage war without our help 1½ months at the most. As concerns the grain for bread, the Minister believes that Spain has sufficient supplies until about March of next year. I consider this latter supposition as too optimistic, unless a strict rationing is carried out.

Besides this necessary assistance however, Spain, beginning with entry into the war, will with respect to a number of other commodities as well be exclusively left to the resources of German and Italian aid.

Advantages of the operation:

1. The effect of the declaration of war on England by a new country will be very strong in England and on the entire world; England's prestige and her prospects for victory will receive a new severe blow, while—upon success of the operation—our prestige will be greatly increased.

2. England will no longer be able to carry on trade with Spain, thus will receive from there no more ores and above all no more pyrite.

[2] This series of 15 documents (translations) was released to the press by the Department of State on March 4, 1946.

[3] Not printed.

3. Nullification of English property rights in ore and copper mines, et cetera.

4. A victorious execution of the operation will mean the control of the straits.

Dangers of the operation for Spain:

1. It would be possible that England, after becoming aware of Spain's war preparations, would beat Spain to the draw and begin war operations.

2. For this purpose she could attempt to extend the territory of Gibraltar in order thereby to make the attack upon Gibraltar more difficult. England could further occupy the Canary Islands, Tangier, and the Spanish colonies, operations which without doubt will result at least in part after the outbreak of war. Spain even considers the Balearic Islands as being threatened.

3. A break between Spain and England can have consequences for Portugal. The English could occupy Lisbon and Lagos or other places in Portugal so that Spain would have a land front. In case of an occupation of Portuguese harbors Salazar is said to have naturally held out to the Spaniards the prospect of military countermeasures, and to have declared himself agreed to a Spanish entry for rendering assistance against England.

4. Outbreak of the war between Spain and England can bring events to a head in north Africa, especially Morocco, where the situation is very tense. Spain distrusts Resident General Nogues who is said to be ogling with the English. Therefore a cooperative English-French-Moroccan operation against the Spanish zone and Tangier would be possible.

5. Because of debilitation resulting from the civil war, Spain is economically unfit to carry through to the end a war lasting more than a few months, if she does not receive economic aid from German and Italian quarters. Aside from gasoline, this, as mentioned above, is true of grain for bread as well.

6. As a result of an intensification of the grave economic situation and eventual starvation and as a result of political and military setbacks (loss of islands, of the colonies) domestic riots could result. This danger I do not consider as very grave at first, since the army is intact. Should the war be of longer duration, however, the situation could become serious.

Difficulties and dangers for us:

1. For transporting the necessary war material to Spain, only the railroad line Bordeaux-Hendaye-(border)-Irun-San Sebastián-Burgos, and so forth, and the road running parallel are available. Within the border area occupied by our troops there is only one other passageway over the Pyrenees, namely, at St. Jean Pied de Porc. According to information from General of the Infantry von Both in Biarritz, only passenger cars and light trucks can travel on this passroad because of its narrow curves. The transporting of all war material must therefore go along the coast where, for long stretches, between Bayonne and San Sebastian, the railroad and the road can be observed and fired upon from the sea. A further difficulty exists in the fact that the Spanish railroad has a different gage from the French so that reloadings are necessary and such equipment as railway guns cannot be transported on. Heavy artillery and other [artillery] are therefore confined exclusively to the roads.

2. The claims upon Germany to deliver weapons and supply special troops should meet with no objections. On the other hand, should the war be of longer duration, the economic assistance requested of us could represent a great burden (especially with respect to nutrition).

If the operation is undertaken, it is in any case necessary:

1. To have the preparations go forward in as camouflaged a manner as possible, to make available in Spain supplies of gasoline and war material (ammunition, bombs) which can be unobtrusively transported by railroad and truck, and, not until the last moment, to bring the heavy guns collected in the south of France across the border by fast transit and into the prepared emplacements, while the air arm is absolutely not to make its appearance until the operation begins in earnest.

2. The moment for initiating the preparations and the operation itself must be adjusted to the expected development of things in England itself, in order to avoid a too early entry of Spain into the war, that is to say, a period of war unendurable for Spain, and thus under certain circumstances the beginning of a source of danger for us.

STOHRER.

No. 2, letter from General Franco to Mussolini

CHIEF OF STATE AND GENERALISSIMO
OF THE SPANISH ARMY,
Madrid, August 15, 1940.

To His Excellency Senor BENITO MUSSOLINI, *Head of the Italian Government, Italy.*

DEAR DUCE: Since the beginning of the present conflict, it has been our intention to make the greatest efforts in our preparations, in order to enter the foreign war at a favorable opportunity in proportion to the means at our disposal, since the lack of the most vital provisions and the interruption of communications with Italy and Germany hindered every operation at the moment.

The rapid and devastating victories in Flanders altered the situation; the defeat of France liberated our frontiers, lessening the grave tension which we along with our Moroccans have been bearing since our civil war.

From this moment, our horizon became brighter, our operation became possible and could become very effective, once the difficulties of provisioning have been removed.

In this manner, upon the entry of your nation into the war, we had to take a clearer stand, one of alertness, changing to one of nonbelligerency, which, in the field of foreign affairs, could not fail to have great repercussions. This awakened jealousy and opposition, and unleashed an Anglo-American offensive against our provisioning, aggravated in these days by the new measures taken by the United States against our exports, and by the English blockade measures, causing grave tension in our relations with those countries.

The consequences, which the conquest of France is to have for the reorganization of the north African territories have made it advisable for me, now that the time has come, to charge my Ambassador in Rome with transmitting to Your Excellency the Spanish aspirations and claims traditionally maintained throughout our history in the foreign policy of Spain, today more alive than ever in our consciousness; to territories, whose present administration is a consequence of that Franco-English policy of domination and exploitation, of which Italy also bears so many scars. To the legitimate Spanish aspirations are added in this case the requirements for security necessitating the elimination of a weak and thinly protected frontier, and the assuring of our communications with the Canary Island group.

In this manner, Spain in addition to the contribution which she made to the establishment of the new order, through our years of hard struggle, offers another in preparing herself to take her place in the struggle against the common enemies.

In this sense, we have requested from Germany the necessities for action, while we push forward the preparations and make every effort to better the provisioning situation as far as possible.

For all these reasons, you will understand the urgency in writing you, to ask your solidarity in these aspirations for the achievement of our security and greatness, while I at the same time assure you of our unconditional support for your expansion and your future.

With my greatest admiration for the brave Italian comrades who are fighting so gloriously, I send you my most cordial regards.

F. FRANCO.

No. 3, letter from Mussolini to General Franco

THE CHIEF OF GOVERNMENT
AND DUCE OF FASCISM,
Rome, August 25, 1940.

To the Head of the Spanish Government, Generalissimo DON FRANCISCO FRANCO-BAHAMONDE, Madrid.

DEAR FRANCO: I thank you for the letter which you have sent me, and in which you sketch the position of Spain in the present stage of the war.

I should like to make it clear to you at once, that your letter has not surprised me.

Ever since the outbreak of the war I have been constantly of the opinion that your Spain, the Spain of the Falange revolution, could not remain neutral until the end of the war, but at the right moment would change to nonbelligerency and finally to intervention.

Should that not happen, Spain would alienate herself from European history, especially the history of the future, which the two victorious Axis Powers will determine.

Furthermore, she would have no moral justification for the solution of her African questions, and, let me say to you, a victorious revolution must set itself extreme goals of an international type, such goals, therefore, as can, at a given moment, require the complete attention and the total effort of a people.

It is clear to me that Spain, after 3 years of civil war, needed a long period of recuperation, but events will not permit it, and your domestic economic condition will not get worse when you change from nonbelligerency to intervention.

I should like to say to you, dear Franco, that I, with these my practical considerations, do not wish to hasten you in the least in the decision that you have to make, for I am sure that in your decisions you will proceed on the basis of the protection of the vital interests of your people and am just as certain that you will not let this opportunity go by of giving Spain her African Lebensraum.

There is no doubt that after France, Great Britain will be defeated; the British regime exists only on one single element: the lie.

I certainly do not need to tell you that you, in your aspirations, can count on the full solidarity of Fascist Italy.

I beg you, dear Franco, to accept my most cordial and comradely greetings.

MUSSOLINI.

No. 4, notes of a conversation between the Führer and the Spanish Minister of the Interior Serrano Suñer in the presence of the Reichs Foreign Minister in Berlin on September 17, 1940

As a preliminary Serrano Suñer delivered a short and voluntary message of Generalissimo Franco, in which the latter expressed to the Führer his gratitude, sympathy, and high esteem, and emphasized to him his loyalty of yesterday, of today, and for always. Franco had commissioned him to bring about a direct contact with the German Government in this decisive time. Since he had already informed the Reichs Foreign Minister of the Spanish wishes, he did not at the moment want to come back to that again, but only wished to emphasize that the Spanish attitude toward Germany had not changed in the least. It was not a question of a revision of the Spanish foreign policy, but only of a clarification of the conditions under which Spain was ready to fight the war together with Germany. Whenever Spain's

supply of foodstuffs and war material was secure she could immediately enter the war. With reference to the war material, Suner declared that the details of the Spanish wishes had been conveyed to Admiral Canaris and Suñer made precise the wish for placing artillery at their disposal specifying that the Spaniards considered 10 38-centimeter guns necessary for Gibraltar.

The Führer replied that the German people had not forgotten the stand which Spain had taken in the World War and that this feeling of appreciation had been the most profound cause for the German conduct during the civil war. Now Germany was in the decisive struggle against England. Continentally this struggle was already decided. A British landing on the Continent was to be characterized as an absolute chimera. The only military possibility still existing was an attempt by England to alienate the French colonies in north Africa from the Pétain government and use them as a new position for the continuation of the war. Aside from that, England had no more opportunities whatever for penetration into the European Continent, from Norway to Spain and Portugal.

In this connection, Suñer pointed to the Spanish fear concerning an English landing on the Cantabrian coast and in this regard mentioned that communistic elements in the population of the Asturias would render the situation very complicated in the event of such a landing attempt. The Führer replied that he could set Suñer's mind at rest in this respect on the basis of landing experiences with landings in Norway where indeed the entire population had been on the side of the English, and the latter, in spite of that, could achieve no success. In Norway it had also been shown that coast artillery was not suitable for repelling an attack, but instead that air defense brought the most favorable results. If a group of Stukas and a group of heavy pursuit planes were made available for the conquest of Gibraltar, then within 8 days no enemy ship would any longer dare to venture into these Spanish areas within a radius of 350 kilometers for the heavy bombs of 1,800 kilograms which these machines carried could perhaps not completely destroy a ship but with a direct hit would render it so incapable of battle that a repair of several months would be necessary. The English, however, would not want to run such a risk. In Norway, however, we had forced the English to retreat only through the use of Stukas.

When Serrano Suñer for his part pointed again to the great strength of the fortress of Gibraltar, the Führer replied that an attack with heavy artillery against an establishment of that type would not be as effective as would be an operation with the special weapons used in overwhelming the Maginot Line. Heavy aerial bombs had an effect many times as great as the heaviest artillery and even the works of the Maginot line could not stand up under it, since armored structures which, according to World War experience, could withstand the heaviest artillery, had been annihilated by 1,000-, 1,400- and 1,800-kilogram aerial bombs inside of 10 minutes. Even when there was no direct hit, the concussion effect of a 1,000-kilogram bomb was, in itself, tremendous. Therefore, the decisive factor for the conquest, and later defense, of Gibraltar, is the guaranteeing of absolute air supremacy.

To be sure, we had set up heavy artillery on the channel coast; it was, however, intended only for very bad weather when penetration by air attacks upon the enemy positions was completely out of the question. Aside from that the installation of 38-centimeter guns lasts several months. Already in the middle of July we had installed the batteries erected in the vicinity of Calais.

The superiority of the Stukas as compared to the heavy artillery is shown by the following figures: A great long-barreled gun could fire 200 rounds without repair, while a Stuka squadron of 36 machines in use thrice daily could drop 120 bombs of 1,000 kilograms each, every 1 of which contained the appropriate amount of high-powered explosives, while a 38-centimeter shell contained only 70 to 75 kilograms of explosives.

It (was a sure thing that one could not long resist the attack of a)[4] dive-bombing group of Junkers 88's and that, at the approach of this feared opponent, the English fleet would immediately get away from Gibraltar and from the entire vicinity.

The Führer declared further that it would not be possible to provide 38-centimeter guns for Gibraltar. Even the transporting would involve extraordinary difficulties, and the installation would require 3 to 4 months. Germany could, however, make special artillery available for the Gibraltar undertaking. Moreover, it was clear that Germany would do everything in her power to help Spain. For once Spain entered the war, Germany would have every interest in her success, since indeed a Spanish victory would be a German one at the same time.

In the Gibraltar undertaking, it would be primarily a matter of taking the fortress itself with extraordinary speed and protecting the straits.

Serrano Suñer thanked the Führer and pointed out that in the previous discussions which had taken place on this subject between German military experts, among others General von Richthofen, and Admiral Canaris, and General Franco, the German intentions had not clearly come to light, indeed, quite on the contrary a certain confusion had arisen. Because of the Führer's statements, the military possibilities had appeared in an entirely new light. He was asking the Führer whether he was ready to put down in writing the views just expressed so that he could convey them to General Franco on his return.

The Führer promised this and emphasized that the question of the capture of Gibraltar had already been studied exactingly by the Germans. For example, a commission of German frontline officers who had had a leading part in the conquest of important French and Belgian fortifications, like Fort Eben Emaël and the Maginot line, had gone to Spain in order to examine the question on the spot. On the basis of the impressions of this commission as well as of the particulars about the condition of Gibraltar which Germany had possessed from former times or obtained recently through Admiral Canaris they had come to the conclusion that Gibraltar could be conquered by a modern attack with relatively modest means. It was a matter of methods which Germany had already used so successfully in the west. Gibraltar was definitely less capable of resistance than the fortifications in the west. (Casemated)[5] guns could be silenced more easily than perchance the guns of the Maginot line which were installed in armored cupolas, and the exposed artillery of Gibraltar could be overwhelmed even more easily. The military cooperation of Germany in the Spanish war would consist of:

1. Immediately expelling enemy ships from the straits, and

2. Making available a small troop of specialists with special weapons by whom Gibraltar could be quickly overwhelmed without great sacrifice of blood. This would be a matter of a small selected special troop of assault engineers equipped with special armor-destroying guns—the so-called "Scharten" or "Pillbox-crackers." As soon as Gibraltar was taken, the problem of the Mediterranean would therewith be settled and no serious danger from French Morocco either could any longer threaten.

In the further course of the conversation, Serrano Suñer, in the same fashion as in his conference with the Reichs Foreign Minister again criticized a few Spanish diplomats. In Berlin, Spain had unfortunately been represented by an Ambassador too old and too liberal-minded, but the Falange had not been able to build up the necessary young forces fast enough to fill the posts important in foreign policy with the right people. The Führer replied that he had great appreciation of this difficulty, for Germany, also, in certain instances in 1934, still had representatives abroad with the spirit of 1932. Suñer seized upon this remark and said that Germany in fact had not always been well represented in Salamanca also. Sometimes it was a matter of Germans who, to be sure, spoke Spanish because they had formerly lived in South America, but who had had no idea of the actual Spanish problems and of the Spanish spiritual sphere.

In the further course of the conversation, Serrano Suñer came to speak about Morocco, and justified the Spanish claims for it in a manner similar to that in the conversation with the Reichs Foreign Minister. He characterized Morocco as Spain's Lebensraum and as her natural expansion objective. For reasons of domestic strengthening of the regime and of external security, Spain was raising the known territorial demands.

The Führer agreed with him in the last point with the remark that many a domestic difficulty which Spain at the moment perhaps still had to face could quickly and easily be overcome by successes with foreign policy. This was an old historical experience. Moreover, it was a matter of two questions:

1. Of the problem of the war, which essentially was a military question, and

2. Of the future configuration of the relationships in Europe and Africa.

Here Germany, on the one hand, had economic interests—she wanted to buy raw materials and sell finished manufactured goods—and, on the other hand, there was the problem of security for her African future in central Africa. For under (certain) conditions, a great danger could threaten her possessions there and even the whole new order as well. It was not out of the question that England and France would try to entice America to the Azores and in these efforts find support in certain imperialistic tendencies of America now already coming to the fore. England could in this way gain a foothold in the islands stretching out in front of Africa—whereby, in time, a very unpleasant situation would arise. For the Continent would be dependent upon that power which kept the outlying islands occupied, especially if it concerned a power with naval superiority. Now the control of the seas could be exercised neither by Italy, nor by Germany, nor by Spain. Therefore, it was necessary to set up defensive strong points on the islands in good time.[6]

To this, Serrano Suñer remarked that Germany had won the war and could claim the leadership in the new order. The defense of the European-African area, however, must take place within the framework of a military alliance of the three powers and of a wise policy. The Führer, continuing, explained the German interests. It was a matter of:

First, to render the northern area free from the blockade;

Second, to create security toward the east for danger always threatened from the east, and Germany was filling a very useful role as the eastern bulwark for Europe; and

Third, to assure Germany a great colonial area, which was not, however, a matter of

[4] Probable translation; text indistinct in microfilm.

[5] Probable translation; text indistinct in microfilm.

[6] Most of one paragraph illegible on microfilm.

area for settlement, of which she possessed enough on the European Continent, but instead purely a matter of raw-material colonies.[7]

After a 1-hour duration the interview was concluded.

SCHMIDT,
Minister.

SEPTEMBER 19, 1940.

No. 5, letter from Generalissimo Franco to Hitler

CHIEF OF STATE, GENERALISSIMO OF THE NATIONAL MILITARY FORCES,
September 22, 1940.

MY DEAR FÜHRER: I received your letter in which you stated to me your views and those of your General Staff in connection with the problems with respect to Spain which are arising from the war, views which with the exception of small details match my thoughts and plans and those of my General Staffs.

I must thank you for the cordial reception which you and your people prepared for my envoy, Minister Serrano Suñer, who reported to me about your conversation and about your esteemed ideas, which satisfy our wishes, and with which we believe ourselves to be in complete agreement, as you will see from the content of this letter. In spite of complete agreement with your words "to recognize the Spanish claims to Morocco with the one limitation of assuring Germany through favorable commercial agreements a share in the raw material of this area," there is to be sure one point where they are inconsistent, namely in the wishes of Herr von Ribbentrop, expressed in the form of a proposal during the conversations between our Ministers, for the establishment of an enclave for German military bases by occupying both the two harbors of the southern zone. These are, according to our opinion, unnecessary in peacetime, and superfluous in wartime, because in this case, you can count upon not only these harbors but on all of them that Spain possesses, since our friendship is to be sealed firmly for the future as well. The advantages that these bases could offer would neither counterbalance the difficulties which this type of enclave always produces nor the harm which they cause to the areas involved whose outlet to the sea they constitute.

I thank you very much for your idea, put before Minister Suñer, of providing me with an opportunity for us to meet near the Spanish border, for, apart from my eager wish to greet you personally, we could have a more thorough and more direct exchange of ideas than our present communications make possible. I should therefore like to state to you my opinion about the individual points of your letter.

1. In regard to your trains of thought set forth in point one concerning the political and economic effects of the present struggle, I can only say to you that I have agreed from the first day on with your opinion expressed there. Only our isolation and the lack of resources most indispensable for our rational existence made our operation impossible.

I am in agreement with you that driving the English out of the Mediterranean Sea will improve the condition of our transports, although it is self-evident that not all questions of the provisioning of Spain will be solved thereby since there are many products and raw materials which Spain lacks, and which are not to be found in the Mediterranean Basin.

2. I am likewise of the opinion that the first act in our attack must consist in the occupation of Gibraltar. In this sense our military policy in the straits since 1936 has been directed by anticipating the English intentions of expanding and protecting their bases.

I agree with your opinion that is is possible to aim at the success of this operation within a few days by the use of modern equipment and tried troops. In this sense, the equipment which you offer me will be of great effect.

For our part, we have been preparing the operation in secret for a long time, since the area in which it is to take place has no suitable network of communications. With respect to the special conditions of the rock, points of resistance can withstand even the strongest action from the air, so that they will have to be destroyed by good and accurate artillery. The extraordinary importance of the project would, in my opinion, justify a strong concentration of resources.

3. The fall of Gibraltar would actually protect the western Mediterranean, and rule out any danger, except the dangers which might arise in passing should De Gaulle succeed with his plan for rebellion in Algiers and Tunis.

A concentration of our troops in Morocco will prevent this danger.

In this respect, it would be suitable for your control commission to increase the precautionary measures to the utmost.

4. I completely share your opinion about the effectiveness of dive bombers for the defense of the coasts, as well as about the actual impossibility of establishing fixed artillery emplacements with heavy material on the vulnerable points on the coast. Evidently a mistake has crept into the transmittal of my wish, for my wish concerned not stationary guns of large caliber, but movable material of about 20 centimeters. I consider this necessary for the future as well and indeed in moderate quantities because of the conditions of the terrain which is mountainous and irregular. The possibility of constructing airports is therefore extraordinarily limited. In most cases, these will lie far removed from the coast and from the objects to be defended. Furthermore, one must reckon with the limitations which necessarily result from the storms and rains frequently occurring there.

In any case, the strong air forces offered by you are indispensable.

5. At the present moment, there is actually little probability of the English undertaking a landing attempt on the peninsula. Even if this should be the case, our own resources and those which you offer me would quickly ruin this plan.

6. The possibility of a surprise attack on the Canary Islands by the English in order to create a naval base for themselves to protect oversea connections has always been a worry of mine. Within the scope of our possibilities we are about to lay aside there supplies of food, ammunition, and sufficient artillery material which we are getting from other less-threatened regions; we effected a partial mobilization several months ago, and also have sent arms for the entire archipelago. We have transferred a group of pursuit pilots there who would no longer have been able to get there once the war had begun. I am of your opinion and consider the presence of dive bombers and destroyer planes in Las Palmas extremely useful, for which bomb material and spare parts must be sent in advance.

7. Obviously freedom of movement in the western Mediterranean is dependent upon Italian successes in Alexandria and Suez, by which the destruction of the English Fleet in these waters will be made possible. At such a moment, a great part of our provisioning problem would be solved.

8. I consider the offer contained in your point 8 for our undertaking as extremely useful and absolutely necessary. For the economic aid which you offer me with such foresight and in the highest measure possible for Germany is just as important as the military equipment. For our part, I offer you reciprocal aid of the same type and to the greatest extent possible considering our potentialities.

In the meantime I consider it my duty to point out to you that in my opinion the conversations hitherto conducted by our specialists have taken the course of negotiations more of a purely commercial orientation. By having treated the settlement of old matters, by wanting to solve the economic problems and the postwar exchanges of commodities, they have deviated from the main subject, which affects both parties equally and which will find its complete solution in the statements of your letter, with which I completely agree.

I would like to thank you, dear Führer, once again for the offer of solidarity. I reply with the assurance of my unchangeable and sincere adherence to you personally, to the German people, and to the cause for which you fight. I hope, in defense of this cause, to be able to renew the old bonds of comradeship between our armies.

In the expectation of being able to express this to you personally, I assure you of my most sincere feelings of friendship and I greet you,

Your,

F. FRANCO.

No. 6, notes covering the interview between the Führer and Count Ciano in the presence of the Reichs Foreign Minister and the State Secretary Meissner in Berlin on September 28, 1940

At the beginning the Führer directed to Count Ciano the question whether the possibility existed for a meeting with the Duce at the Brenner. He considered it right to bring about an exchange of opinion with the Duce concerning the general situation but especially also concerning the Spanish question, before far-reaching decisions were to be made. Also he wanted to speak with him about the strategic situation. As concerned Spain, Germany, on the basis of the experiences gained during the civil war, was clear about the fact that one could not make progress with the Spanish without quite concrete and detailed agreements. It was critical for Germany and Italy successfully to end the war in great security and in as short a time as possible.

The Spanish proposals to Germany, somewhat crassly expressed, go as far as the following:

1. Germany is to deliver for the coming year 400,000–700,000 tons of grain;
2. Germany is to deliver all the fuel;
3. Germany is to deliver the lacking equipment for the army;
4. Germany is to put up artillery, airplanes, as well as special weapons and special troops for the conquest of Gibraltar;
5. Germany is to hand over all of Morocco and besides that, Oran, and is to help her get a border revision in the west of Rio de Oro;
6. Spain is to promise to Germany, in return, her friendship.

One must think it over thoroughly if one intends to enter into such obligations and if one is to bar other possibilities from oneself. Aside from that, he (the Fuhrer) was afraid that the agreements concerning Morocco would somehow leak through and become known in France. In this case the French would possibly even come to an agreement with the English, if they knew that Morocco would be lost to them in any case after the conclusion of the war. At all events, it would be more favorable for Germany if the French remained in Morocco and defended it against the English. If the Spanish were to occupy the territory, they probably would only call for German and Italian help in the event of an English attack, and moreover they would let the tempo of their civil war prevail in their military measures. It was therefore necessary to talk over very calmly

[7] Two subsequent paragraphs are illegible in the material available and have, therefore, been omitted here.

for a few hours with the Duce the whole question in the light of its usefulness and its military significance, especially since the deliveries demanded of Germany would represent a great sacrifice, which after all could not be made only in return for the good graces of the Spanish. Thus far, at any rate, the Spanish had not yet held out the prospect of an equivalent. One must ponder the problem very cooly and examine it in the light of its possible effects. The case would be entirely clear if Spain would assume distinct obligations. Considering the uncertainty of the Spanish attitude, Germany and Italy in this interview between the Fuhrer and the Duce would have to take a similar stand on the Spanish problem. The agreements with Spain would only contain obligations for her partners and in practice would have to be made good militarily by Germany and Italy. The consequences could be very unpleasant. It would not be impossible that, the commitments concerning Morocco and Oran becoming known, North Africa even might fall into the hands of the English. That would make a conquest of this territory necessary. This military undertaking would have to be carried out over the very dubious bridge, Spain, during which the possibility would definitely exist that Spain then would withdraw again into her neutrality. At all events, England would then have in Africa a great number of airbases, which to be sure would not be decisive for the war, but which could really turn out to be very unpleasant, since air penetration from Germany and Italy would be difficult on account of the great distance.

The Fuhrer then mentioned in this connection the invitation which Franco had extended to him to meet with him on the Spanish-French border. He did not yet know whether he ought to accept this invitation. It would all depend on the conversation with the Duce. In any case he was not convinced that Spain had "the same intensity of will for giving as for taking". Moreover it was customary for allies to support one another reciprocally; in the case of Spain, however, the reciprocity would have to be missed.

When Spain was engaged in the Civil War, Germany had supported Franco in a very extensive measure considering her [Germany's] condition at the time. This support moreover had not been without risk. It was not limited only to the delivery of materiel, but volunteers were also made available and many Germans and Italians had fallen in Spain. He did not intend to compute this blood sacrifice in terms of economic values, but instead considered it an outright gift to Spain.

Economically Germany had given out many hundreds of millions for Spain. He (the Fuhrer) had taken the stand that the payment of this debt should be left alone during the war, however that it would have to be taken up again after the victory of Franco. Whenever the Germans demand the payment of the 400 million debt incurred during the Spanish Civil War, this is often interpreted by the Spanish as a tactless confusing of economic and idealistic considerations, and as a German, one feels toward the Spanish almost like a Jew, who wants to make business out of the holiest possessions of mankind. Therefore in all agreements with the Spanish one must to begin with clearly stipulate the terms, and if Germany is to furnish grain, the question of compensation must be settled now already.

Italy and Germany had done very much for Spain in the year 1936. Italy just had its Abyssinia undertaking behind her, while Germany was in the midst of her rearming. Without the help of both the countries there would today be no Franco.

From all these considerations a joint discussion with the Duce was necessary before making further decisions which could be very far-reaching. In no case should any step which would be undertaken with regard to Spain lead to a deterioration of the strategic position in the Mediterranean Sea.

Count Ciano replied that the Duce certainly would gladly seize the opportunity for a discussion with the Fuhrer. He had already frequently spoken to him (Ciano) about it. Would the Fuhrer like to make a suggestion concerning the date.

Moreover the Duce had the same fears as those the Fuhrer had just mentioned concerning the difficulties involved in an entry of Spain into the war. Italy also had not forgotten the experiences of the Spanish Civil War. At that time Franco had declared that if he received 12 transport planes or bombers, he would have the war won in a few days. These 12 airplanes became more than one thousand airplanes, 6 thousand dead, and 14 billion lire. With all due sympathy for Spain, this had upon reflection proven in fact to be right, and now again the Duce feared that many sacrifices would be demanded of Italy and Germany without return. Aside from this, it was to be feared that following the pattern of the Spanish Civil War, Spain's demands as now reported would be increased more and more in the further course of events. Therefore caution was in order and a discussion very appropriate.

It was then decided to hold the discussion between the Fuhrer and the Duce at the Brenner in connection with the visit of Serrano Suner in Rome on Friday, October 4, 1940.

SCHMIDT, *Minister.*

BERLIN, *September 29, 1940.*

No. 7, letter from Serrano Suñer to Von Ribbentrop

EL PRESIDENTE DE LA JUNTA
POLITICA DE FALANGE ESPANOLA
TRADICIONALISTA Y DE LAS JONS,
Madrid, October 10, 1940.

To His Excellency J. VON RIBBENTROP,
Minister of Foreign Affairs of the German Reich.

MY DEAR MR. MINISTER: Upon my return from Berlin and Rome I had several conversations with the Caudillo for the purpose of continuing the examination of the questions and viewpoints which were considered during our meeting in the capital of the Reich. We have at hand the proposals of an economic character which were formulated by the German Government and expect shortly to make a concrete counterproposal with the object of arriving at an agreement on those matters, as well as on those dealing with the details and circumstances of the 10-year military alliance with Germany and Italy. We believe that all of these should be negotiated with the utmost secrecy in order not to jeopardize the several shiploads of Argentine and Canadian wheat which we are endeavoring—with great difficulty—to acquire. All of this for the good of the common cause. This will be done in such a way that while the rank and file of our diplomatic service continue keeping the balance in order to obtain the greatest possible quantities of wheat and gasoline, our negotiations will be carried on through our personal contacts and through secret correspondence between the Führer and the Caudillo.

We have in the Canary Islands four batteries, an important group of pursuit planes and machinegun nests, all of which dispose of the possibility of an English or American landing. One of the bravest generals of our army departed yesterday to take command of the Grand Canary.

We have just finished sending to Morocco two additional divisions under good command. The Caudillo has requested me to inform you of his impression that De Gaulle is preparing an uprising in Oran.

While reiterating the expression of my personal friendship toward you, please be good enough to renew my respects to the Führer, with best wishes for the collaboration of our two peoples for the common good.

RAMÓN SERRANO SUÑER.

No. 8, notes on the conversation between the Führer and the Caudillo in the Führer's parlor car at the railroad station at Hendaye on October 23, 1940

At the beginning the Caudillo expressed his satisfaction about the fact that he was at the moment able to make the personal acquaintance of the Führer and to render to him Spain's thanks for everything that Germany has done for his country up to the present. Spain has always been allied with the German people spiritually without any reservation and in complete loyalty. In the same sense, Spain has in every moment felt herself at one with the Axis. In the civil war the soldiers of the three countries had fought together and a profound unity has arisen among them. Likewise, Spain would, in the future, attach herself closely to Germany for historically there were between Spain and Germany only forces of unity, and none of separation.

In the present war as well, Spain would gladly fight at Germany's side. The difficulties which were to be overcome therein were well known to the Fuhrer. A war would necessitate preparations in the economic, military, and political spheres. Within her modest possibilities, Spain had begun these preparations; was, of course, coming up against difficulties therewith which were being made for her by elements in America and Europe, hostile to the Axis. Therefore, Spain must mark time and often look kindly toward things with which she was thoroughly not in accord.

Franco then came to speak of Spain's growing provisioning difficulties and in this connection mentioned that the United States and Argentina apparently were precisely following orders from London, for there had been cases in which the channel through the British Embassy immediately removed difficulties in both the above-mentioned countries. The difficulties already existing would be more intensified by the bad harvests. In spite of this, Spain with a view toward her spiritual alliance with the Axis powers, has assumed the same attitude towards the war as Italy had in the past autumn.

The Führer replied that he was glad to see the Caudillo personally for the first time in his life after he had so often been with him in spirit during the Spanish Civil War. He knew precisely how difficult the struggle in Spain had been, since he himself since 1918–19 had had to go through similar grave conflicts, until he had helped the National Socialist movement to victory. Spain's enemies had been his enemies, too. The struggle which was raging in Europe today would be decisive for the fate of the Continent and the world for a long time to come. Militarily, this struggle in itself was decided. Germany had established a front against the British Islands from the North Cape to the Spanish border and would no longer allow the English a landing on the Continent. The military actions were now taking place right in English motherland. In spite of that, England had certain hopes: Russia and America. With Russia, Germany had treaties. Aside from this, however, he (the Führer) immediately after conclusion of the French campaign had undertaken a reorganization of the German Army so that, beginning with March of the coming year, the latter would present itself in the following strength: of a total of 230 divisions, 186 were attacking divisions. The rest consisted of defense and occupation troops. Of the 186 attacking divisions, 20 were armored divisions equipped with German material,

while 4 additional armored brigades possessed captured material in part. In addition to this there were 12 motorized divisions. With this army strength Germany was grown ready for any eventuality. He (the Führer) believed that England was wrong too in placing her hope on Russia. If the latter country were aroused at all from its inactivity, it would, at the most, be active on the German side. It was therefore a matter of misspeculation on the part of England.

With respect to America, there was no need to be afraid of an active attack during the winter. There would therefore be no change in the present military situation. Until America's military power would be fully armed, at least 18 months to two years would pass.

There would arise, nevertheless, a considerable danger if America and England entrenched themselves on the islands stretching out off Africa in the Atlantic Ocean. The danger was all the greater because it was not certain whether the French troops stationed in the colonies would under all circumstances remain loyal to Pétain. The greatest threat existing at the moment was that a part of the Colonial Empire would, with abundant material and military resources, desert France and go over to De Gaulle, England, or the United States. Moreover, the war of Germany against England was continuing. The difficulty was that the operations had to be carried on across an ocean which Germany at sea did not control. She had only air supremacy. Of course the weather over the Channel for exercising it had, up to then, been extremely unfavorable. Since the middle of August there had not even been five fair days, and the major attack against England had as yet not been able to begin since an attack against the British naval forces, on the part of Germany, could only be carried out from the air, whereby, under good atmospheric conditions, the British fleet had always been forced to yield, according to previous experiences.

According to meteorological forecasts which prophesied with certainty a period of fair weather for seven to eight days, a great air attack had been started on a fixed day. Of course it had to be broken off again after lasting half a day because of a sudden change in the weather.

Germany had, up to this point, carried off very great victories. But for this very reason, he (the Führer) wanted to guard against suffering a failure by some thoughtless move. In this connection, the Führer mentioned as an example of his tactics, the events of the great offensive in France. Originally he had had the plan of striking the great blow as early as October of the previous year, but had constantly been hindered from doing this by the weather. He had suffered because of not being able to act but he had been really determined not to begin the offensive in bad weather, but on the contrary had preferred to wait until the weather conditions became better. When the meteorologists had then reported to him that on May 10 the normal period of clear weather for the summer would begin, he had, on May 8, issued the order for attack. The result of this attack was known, and in the battle against England he would act precisely as in the French offensive. He would begin the great attack only when the weather conditions permitted absolute success. In the meantime, England, and especially London, was being bombarded day and night. On London alone, 3,500,000 kilograms of bombs had been dropped. Many harbor installations, factories, and armament works were thus being shattered; England's approaches were being mined; and an increasing U-boat activity was contributing to the further isolation of the islands. At the moment, the number of U-boats being finished every month was 10. In spring, it would rise to 17; in July to 25; and after that up to 34 per month. He hoped the concentrated activity of the air arm, minelayers and destroyers, U-boats, and speedboats would do so much damage and harm to England that in the end attrition would set in. In spite of this, he was lying in wait in order to carry out the great blow during fair weather, even if this could not happen until spring. It is self-evident that the time during which such vast masses of troops were lying inactive would continue to be exploited.

Naturally Germany had an interest in ending the war in a short time if possible, since every additional month cost money and sacrifice. In the attempt to bring about the end of the war as soon as possible and to render the entry of the United States into the war more difficult, Germany had concluded the Tripartite Pact. This pact was compelling the United States to keep its Navy in the Pacific Ocean and to prepare herself for a Japanese attack from that direction. In Europe as well, Germany was attempting to expand her base. He could confidentially report that several other nations had announced their intention of joining the Tripartite Pact.

To guarantee her petroleum supply, Germany has sent pursuit squadrons and Panzer troops to Rumania upon the request of the Rumanian Government and in agreement with it.

The great problem that was to be solved at the moment consisted in hindering the De Gaulle movement in French Africa from further expanding itself, and (hindering) the establishment, in this way, of bases for England and America on the African coast. A danger in this direction was actually present. The Petain government was in the deplorable condition of having to liquidate a war for which it was not responsible, for the consequences of which, however, its opponents blamed it. It was now a matter of preventing De Gaulle from receiving an increase in power from this difficult position of the French Government, something which moreover would lead France to complete collapse. Finally, the attempt had to be made to bring France herself to a definite stand against England. This indeed was a difficult undertaking because there were still two tendencies in France: A Fascist one represented by Petain and Laval, and an opposition one which wanted to carry on a doubledealing game with England. Moreover, it was particularly difficult to stir the French to a clear stand because they did not know how the peace would look. On the other hand, nothing could be said about the peace as long as the war was not completely ended, for one of Germany's opponents certainly had to pay for the war. Were England soon overpowered, Germany would then be ready without further ado to grant France easier peace terms. Should the war, however, continue on and should the English, as a result, offer Germany a compromise, she (Germany) would certainly not continue to fight only to spare France. Moreover, Germany needed France as a base as long as she was fighting against England. Yesterday he had, in all frankness, informed Vice President Laval of this interpretation and he would, on the morrow, speak with Petain in precisely the same manner.

The purpose of this conference in Hendaye was the following: If they would be successful in effecting quite a large front against England, then the struggle would be substantially easier for all the participants and could be ended sooner. In setting up this front, the Spanish desires and the French hopes were obstacles in the path. Were England no longer participating in the war and if there were no De Gaulle, one would not have to think of relinquishing the demands on France. France could then be brought to submit and, in case she did not wish to cooperate, she could be occupied by the military within 12 days without any difficulty. More difficult would be the solution of the administrative problems and the economic problems. To occupy North Africa would of course be difficult and would not be possible without a strong military effort. The French knew that they had to sacrifice something in the peace treaty. They counted on losing the German colonies and Alsace-Lorraine; they knew that border rectifications would be undertaken and that Nice, Corsica, and Tunis would be lost to them. In the latter case, they would of course be very downcast over the loss and would prefer to make an arrangement which would, in another fashion, assure access to the raw materials there. Such an arrangement would be a fraud, however, for whoever no longer had the country, to him, at the proper moment, would no longer be given the raw materials. There was the danger that, if it were concretely asserted to the French that they would have to get out of certain African areas, the African possessions would perhaps desert France even with the concurrence of the government of Vichy. In order to meet this danger, he had worked up a general formula which he had developed yesterday to M. Laval. In doing this he did not allow himself to make any concrete statement of the territorial changes to take place after the war.

(The record of this conversation is incomplete.)

No. 9, German Foreign Office memorandum

BERLIN, *October 31, 1940.*

(Reporter: Councillor of Legation Kramarz)

NOTE.—The Naval Warfare Command informs that the necessity exists in connection with naval operations in the Bay of Biscay for being able to supply German destroyers with fuel in out-of-the-way bays of the Spanish coast. For this purpose, German tankers would be sent there, from which replenishing would take place by night in order thus to guarantee the secrecy. The Naval Warfare Command has in this connection pointed to the fact that the Spanish Government has already shown similar obligingness in the supplying of German U-boats.

The Naval Warfare Command requests opinion and corresponding instruction of the Spanish Government.

Herewith submitted to Ambassador Ritter.

KRAMARZ.

No. 10, telegram from the German Ambassador in Madrid to the Foreign Office in Berlin

MADRID, *December 5, 1940.*

In reply to proposal made by Embassy as instructed, Foreign Minister has now informed that Spanish Government has agreed to the placing in readiness of German tankers in out-of-the-way bays of the Spanish coast for the supplying of German destroyers with fuel. Foreign Minister vigorously requested observing greatest caution in carrying out measure.

STOHRER.

No. 11, telegram from the German Ambassador in Madrid to the Foreign Office in Berlin

MADRID, *December 12, 1940.*

(Strictly secret)

In reply to telegraphic directive No. 2246 of December 11.

The protocol of General Vigón covering the conference of Admiral Canaris with the Generalissimo (Dec. 7, 1940) reads in translation:

"Admiral was received 19:30 o'clock in presence of General Vigón. Admiral presents Chief of State Führer's greeting and conveys Germany's wish to undertake attack upon Gibraltar within a short time in con-

nection with which German troops are to march into Spain on January 10. Reports that the Führer considers this moment the most favorable since the troops now available for operation are directly thereafter to be used for other undertakings and therefore could not be reserved for indefinite time. Admiral reports that as soon as march of troops began, economic cooperation of Germany would at once begin.

"To this Generalissimo explains to Admiral that it was impossible for Spain for reasons duly presented to enter into the war on the suggested date.

"1. English fleet still possesses such freedom of operation that the success being expected in Gibraltar—which he considers certain and quick—would very soon be dimmed by loss of the possessions of Guinea and later on one of the Canary Islands. Further, pretexts would be given England and the United States for occupying the Azores, Madeira, and the Cape Verde Islands.

"2. Although tied up with difficulties because of restriction of foreign trade, military preparation of Spain has progressed. They are endeavoring to improve as much as possible defense of the islands and of coast, and are strengthening artillery of the straits. Everything is however incomplete and unfinished; this is however not the actual reason which is preventing Spain from accepting the proposed date.

"3. Spain's provisioning is absolutely inadequate both with respect to the present scanty supplies, as well as with respect to their distribution. There are at the moment two problems:

"(a) the deficiency in foodstuffs, especially grain, which latter [deficiency] is estimated at 1 million tons.

"(b) the inadequacy of transports due to lack of railway materials and because of the compulsory restriction in the use of motor trucks. If one adds to it the discontinuance of the sea transports as results of the war, the situation of many provinces would become unbearable.

"4. Generalissimo and Government are endeavoring to remove these difficulties. They effected grain purchases in South America and Canada; they are pushing the purchase of railway cars and are expediting provision of locomotives; they are effecting purchases of gas generators for motor trucks for the eventuality of a complete lack of gasoline. But incipient exhaustion of all supplies and restriction of foreign trade are preventing quick improvement.

"5. For these reasons Spain cannot enter into the war within a short time. She could also not wage a long war without imposing unbearable sacrifices upon the Spanish people. Aside from that, a long war would with certainty bring with it loss of a part of the Canary Islands, which could only be supplied for 6 months.

"6. In presenting all the difficulties which are preventing Spain from accepting the proposed date, Generalissimo wishes to stress that he is not only thinking of Spain's advantages but is also considering those of Germany, for, in his opinion, in a war of rather lengthy duration Spain's weakened condition would certainly represent disadvantage and burden for Germany.

"Admiral asked Generalissimo whether, under these conditions, which are preventing fixing the 10th of January as the date, it would be possible now already to set a different later date. Generalissimo replies that since removal of difficulties depends not only upon the will of Spain, he too could name no definite date, which might have to undergo change because of the circumstances. In any case, his attention and his effort would be directed toward hastening and completing Spain's preparations. The preparation was being continued with vigor, something which the admiral himself would have the opportunity of confirming upon his next visit to the area of the straits. Generalissimo also shows admiral photographs of the mortar 240, which is to make up for the lack of heavy artillery and air arms, and with which tests are at the moment being made.

"Generalissimo considers is advisable that a German economist visit Spain in order to examine the then-existing condition and to pass on to his government a firsthand impression. He agrees with the admiral that preparatory studies and labors begun be continued jointly and in the same discreet form hitherto carried out.

"He then charges the admiral with conveying to the fuhrer his most cordial greetings and with reporting the conference [to him] at the same time expressing again his esteem to the admiral and his delight at seeing him again in Spain.

"JUAN VIGÓN,
"Divisional General."

End of the protocol.

STOHRER.

No. 12, letter from Hitler to Franco, February 6, 1941

FEBRUARY 6, 1941.

DEAR CAUDILLO: If I write this letter it is done in order to determine once again with extreme clarity the individual phases of the development of a situation which is not only important for Germany and Italy but could have been of decisive importance to Spain.

When we had our meeting, it was my aim to convince you, Caudillo, of the necessity of common action of those States whose interests in the final analysis are certainly tied up indissolubly with each other. For centuries, Spain has been persecuted by the same enemies against whom today Germany and Italy are forced to fight. In addition to the earlier imperial strivings inimical to our three nations there now arose, moreover, antitheses conditioned by world outlook: The Jewish-international democracy, which reigns in these States, will not excuse any of us for having followed a course which seeks to secure the future of our peoples in accordance with fundamental principles determined by the people and not those imposed by capital. As concerns the German determination to follow this fight through to the final consequence, I need waste no word. The Duce thinks no differently. On the basis of this analysis, the Japanese people as well will not in the long run get by, unless it be by a submission sacrificing the future of the Japanese people. I am now convinced that Spain faces the same fate. Caudillo, if your struggle against the elements of destruction in Spain was successful, it was only because of the democratic opponents forced to be cautious by attitude of Germany and Italy. You will be forgiven, Caudillo, but never for this victory. Just as little does England think of letting you remain for a long period in North Africa opposite Gibraltar—as soon as she is once again in a position of power. The Spanish seizure of the Tangier zone would in such a case—and this is my deepest conviction, Caudillo—only be a passing intermezzo. England, and probably America too, will do everything to render this entry into the Mediterranean in the future even more secure under their dominion than up to now. It is my most heartfelt conviction that the battle which Germany and Italy are now fighting out is thus determining the future destiny of Spain as well. Only in the case of our victory will the present regime continue to exist. Should Germany and Italy lose this war, however, then any future for a really national and independent Spain would be impossible.

I have thus been striving to convince you, Caudillo, of the necessity in the interests of your own country and the future of the Spanish people, of uniting yourself with those countries who formerly sent soldiers to support you, and who today of necessity, are also battling not only for their own existence, but indirectly for the national future of Spain as well.

Now at our meeting we agreed that Spain declare its readiness to sign the Three-Power Pact and to enter the war. In setting the date, periods in the far future were never considered or even mentioned, but instead the conversation always was concerned with a very short time-limit within which you, Caudillo, still believed that you could carry out various economic measures favorable for your country.

I personally have been skeptical from the beginning about the hope of receiving very soon more real economic benefits for Spain.

1. England indeed has no thought at all of really helping Spain. England is only endeavoring to postpone the Spanish entry into the war, to put it off in order in this way continually to increase her distress and thus to be able finally to overthrow the Spanish Government of that time.

2. But even if England were about to think otherwise, in an impulse toward some kind of sentimentality never present in British history up to now, she could not really help Spain under any conditions. She is absolutely not in the condition even in transportation alone to aid another country in a time in which she herself has already been forced to the most rigorous retrenchments in her standard of living. And the need for transport space will as the months go by not decrease but instead will get more and more serious.

In spite of the fact that I, therefore—as stated—have been thoroughly skeptical about this from the beginning, I nonetheless brought to bear every bit of appreciation for your efforts in at least trying, even before entering the war, to get shipments of foodstuffs into Spain from countries overseas as well.

Germany, however, has for her part, declared herself ready to deliver to Spain, immediately after undertaking entrance into the war, food, that is—grain—to as great an extent as possible. Furthermore, Germany has declared herself prepared to replace the 100,000 tons of grain which was waiting in Portugal destined for Switzerland in order that it might benefit Spain immediately. This of course remains contingent upon the final decision for Spain's entry into the war. For about one thing, Caudillo, there must be clarity: We are fighting a battle of life and death and cannot at this time make any gifts. If it should later be asserted that Spain could not enter the war because she received no supplies, that would not be true. For immediately after settling the entry into the war, a fixed date of which there has as yet been no outward indication at all, Spain would receive the first supplies, that is, 100,000 tons of grain. I doubt whether 100,000 tons of grain could really have reached Spain from abroad within the same period of time, even if such an inclination had existed. Thus, I also doubt that this is going to happen. The assertion, however, that—if our grain had been delivered immediately—the Spanish people could thus by propaganda have been prepared for entry into the war is self-contradictory for another reason.

Your, yourself, Caudillo, have indeed personally indicated to me the importance of not yet consummating publicly the entrance in the Three-Power Pact, because you feared that this would have hurt your other efforts, for example in obtaining more grain, indeed would perhaps have wrecked them. How much less possible would it then have been to carry on open propaganda for entering the war? No, I am taking the liberty once more to confirm that:

1. During our conversation, it was never considered that Spain's entry into the war

would perchance not take place until autumn or the coming winter, and that—

2. Germany was ready to furnish supplies to the Spanish Government at the moment when the final date for entering the war was determined.

When I had the request made to you, Caudillo, with the impression of urgency to bring relief to the Italian ally and to set this date in the middle or the end of January, that is, to permit the German march against Gibraltar to begin on or after January 10, in order to start attacking at the end of January, then for the first time our negotiators were unequivocally informed that such an early date could absolutely not be considered and this was again motivated by economic factors. However, when I thereupon let it be known again that Germany was indeed ready to begin at once with deliveries of grain, Admiral Canaris received the conclusive information that this delivery of grain would not be decisive at all, for via railway, it certainly could accomplish no practical effect. It was now further declared that since we had already made available batteries for the Canary Islands and moreover intended also to provide dive bombers for additional security—even that was not decisive, since the Canary Islands from the point of view of food could no longer be held after 6 months.

That is absolutely not a matter of economic factors but rather of others is apparent from the last statement in which it is stated that for climatic reasons to march in this season could not succeed, but on the contrary should only be considered at the earliest in the autumn or winter.

Under these conditions, of course, I do not understand why one should first want to declare an event impossible on economic grounds, which is now said to be impossible simply for climatic reasons. Now I do not believe that the German Army would be disturbed during its march in January by a climate which in itself is nothing out of the ordinary for us. In any case, we solved our problems in the Norwegian campaign under varied conditions and with severe climatic hindrances in the form of snow and ice, not to mention the fact that, from the participation of German soldiers and officers in your campaign, Caudillo, the climatic conditions of Spain are nothing unfamiliar to us. I regret most profoundly, Caudillo, this your opinion and your stand since:

1. I feel it my duty to bring relief to my Italian friend and ally and thus be of help to him—indeed be of help at the moment when he experienced an unfortunate mishap. The attack on Gibraltar and the closing of the straits would have changed the Mediterranean situation in one stroke.

2. I am of the conviction that in war, time is one of the most important factors. Months which one lets slip by are often never regained again.

3. Finally however it is clear that, on January 10 if we had been able to cross the Spanish border with the first formations, Gibraltar would today be in our hands. That means: 2 months have been lost, which otherwise would have helped to decide world history.

4. I am further of the conviction that Spain's economic condition would have improved and not become worse because of what would in any case have come to Spain through us and that on the other hand the deliveries which since then actually came to Spain from abroad during this time can only amount to a fraction compared to that which would in any case have been delivered at once by us.

But quite aside from this, Caudillo, I should like now to mention the following:

The entrance of Spain into this struggle has certainly not been conceived of as exclusively to the benefit of the interests of Germany and Italy. Spain herself has advanced very great territorial claims for the fulfillment of which the Duce and I had declared ourselves ready in every degree which could at all be reconciled with an acceptable new arrangement of the African colonial possessions for Europe and its countries. And I may point out in this regard that in this struggle up to now first Germany and then Italy, have suffered the most prodigious blood sacrifice, and that both, in spite of this, themselves made very modest claims.

In any case, however, the moment of military operations above all can only be proposed by the one who therewith assumes the main burden of the struggle and who must therefore calculate it into the total program of a military analysis which is after all of worldwide extent. That I myself have no other goal in mind than the common success is certainly understandable. Indeed in this case, Caudillo, my urging in and of itself only proves the strength of my consciousness of responsibility toward my ally as well. For wheresoever in the course of this war difficulties should arise, it will be my unbending will to help out with them; and my decision to make good in the final settlement whatever during one or another stage of this war can perhaps at first have miscarried. This affects Spain as well. Spain will never get other friends than those given [her] in the Germany and Italy of today, unless it becomes a different Spain. This different Spain however would only be the Spain of decline and of final collapse. Even for this reason alone, Caudillo, I believe that we three men, the Duce, you, and I, are bound to one another by the most rigorous compulsion of history that is possible, and that thus we in this historical analysis ought to obey as the supreme commandment the realization that in such difficult times, not so much an apparently wise caution as the bold heart, rather, can save nations.

Moreover, Caudillo, this war is decided regardless of what ephemeral successes the British believe they can achieve anywhere on the periphery. For independently thereof, the fact remains that the British power in Europe is broken and that the mightiest military machine in the world stands ready for every additional task which may be put to it to solve. And how good and reliable this instrument is, the future will prove.

Accept my cordial and comradely greetings.

Your

ADOLPH HITLER.

No. 13. letter from General Franco to Hitler

EL PARDO, *February 26, 1941.*

DEAR FUEHRER: Your letter of the 6th makes me wish to send you my reply promptly, since I consider it necessary to make certain clarifications and confirmation of my loyalty.

I consider as you yourself do that the destiny of history has united you with myself and with the Duce in an indissoluble way. I have never needed to be convinced of this and as I have told you more than once, our civil war since its very inception and during its entire course is more than proof. I also share your opinion that the fact that Spain is situated on both shores of the strait forces her to the utmost enmity toward England, who aspires to maintain control of it.

We stand today where we have always stood, in a resolute manner and with the firmest conviction. You must have no doubt about my absolute loyalty to this political concept and to the realization of the union of our national destinies with those of Germany and Italy. With the same loyalty, I have made clear to you since the beginning of these negotiations the conditions of our economic situation, the only reasons why it has not been possible up to now to determine the date of Spain's participation.

Having in mind our own postwar difficulties, you will recall that I have never fixed too short a period for our entry into the war. Permit me, Führer, to say that the time elapsed until this moment has not been completely lost, since we have been obtaining not certainly great enough quantities of grain to permit us to build stocks, but certainly for some of the bread necessary for daily sustenance of the people who otherwise would have perished of starvation in considerable numbers.

Furthermore, it must be acknowledged that in this question of the supply of foodstuffs, Germany has not fulfilled her offers of effective support until very recently. We are now beginning to move in the realm of concrete facts and within this field there is nothing I desire more than to hasten the negotiations as much as possible. With this end in view several days ago I sent to you information on our needs as to foodstuffs and in general economic and military fields. These data are open to new examination, clarification, verification, and discussion in order to reach quickly the solution which interests us both equally. However, you will understand that at a time when the Spanish people is suffering the greatest starvation and enduring all sorts of privations and sacrifices, it is not certainly propitious for me to ask further sacrifices of them if my appeal is not preceded by an alleviation of this situation, which at the same time may permit us to carry out beforehand an intelligent propaganda on the constant friendship and effective support of the German people, which will reawaken in the Spaniard the sentiments of sincere friendship and admiration which he has always had for your nation.

My remarks about our climate were simply an answer to your suggestions, and were not in any way a pretext to postpone indefinitely that which at the right moment it will be our duty to do.

During the recent Bordighera conference I gave proof to the world of the nature of my resolute attitude; this conference also served as a call to the Spanish people marking the direction in which lie their national obligations and the preservation of their existence as a free nation.

One observation I must repeat to your Excellency; the closing of the Strait of Gibraltar is not only a prerequisite for the immediate amelioration of the situation of Italy but also perhaps for the end of the war. However, in order that the closing of Gibraltar may have a decisive value it is also necessary that the Suez Canal be closed at the same time. If this last circumstance should not take place, we who are making the actual contribution of our military effort have the duty sincerely to say that the situation of Spain in the event of an inordinately prolonged war would then become extremely difficult.

You speak of our demands and you compare them with yours and those of Italy. I do not believe that one could describe the Spanish demands as excessive, still less, when one considers the tremendous sacrifice of the Spanish people in a battle which was a worthy forerunner of the present one. Concerning this point the necessary preciseness does not exist in our agreement as well. The protocol of Hendaye—permit me to express it—is in this respect extremely vague and Your Excellency remembers the conditions (today so changed) of this vagueness and lack of preciseness. The facts in their logical development have today left far behind the circumstances which in the month of October had to be taken into consideration with respect to the prevailing situation, and the protocol then existing must at the present be considered outmoded.

These are my answers, dear Führer, to your observations. I want to dispel with them all shadow of doubt and declare that I stand

ready at your side, entirely and decidedly at your disposal, united in a common historical destiny, desertion from which would mean my suicide and that of the cause which I have led and represent in Spain. I need no confirmation of my faith in the triumph of your cause and I repeat that I shall always be a loyal follower of it.

Believe me your sincere friend, with my cordial greetings,

F. FRANCO.

To: His Excellency ADOLPH HITLER,
Führer of the German People.

No. 14, secret protocol between the German and Spanish Governments

MADRID, *February 10, 1943.*

At the time in which the intention of the German Government to deliver to the Spanish Army in the shortest time possible arms, war equipment, and war material of modern quality and in sufficient quantity is to be realized, the Spanish Government, at the request of the Reich Government, declares that it is determined to resist every entry by Anglo-American forces upon the Iberian Peninsula or upon Spanish territory outside of the peninsula, that means, therefore, in the Mediterranean Sea, in the Atlantic and in Africa as well as in the Spanish protectorate of Morocco, and to ward off such an entry with all the means at its disposal.

Both parties obligate themselves to keep this declaration, prepared in the German language and in the Spanish language absolutely secret.

For the German Government:

VON MOLTKE.

For the Spanish Government:

GOMEZ JORDANA.

No. 15, notes on conversation between General Franco and Ambassador Dieckhoff

BERLIN, *December 15, 1943.*

The conference with the Spanish Chief of State, which took place on Friday, December 3, at the Pardo Palace, in the presence of the Foreign Minister, Count Jordana, and lasted somewhat over an hour, took the following course:

I explained to the chief of state that I had now been in Madrid more than 7 months and had attempted to secure for myself a picture of the Spanish foreign policy. I had the feeling, and the Reich Government was under the same impression, that the foreign policy of Spain was recently beginning to change. We observed in a number of spheres little of a positive attitude of the Spanish Government with respect to Germany and we had especially the feeling that this change in the Spanish attitude was to be traced to English and American pressure. I could only point with the greatest emphasis—and I was speaking on the order of my Government which was taking a very serious interest in these matters—to the fact that it would be a very dangerous policy for Spain to make concession after concession to the English and Americans; Spain would thereby find herself on the downgrade, and she would become more and more dependent upon the Anglo-Saxon powers. Only a completely firm and stable policy which made no concession was proper and guaranteed that the English and Americans would permanently refrain from further pressures; it would be a fatal error if the Spanish Government believed that it could change its course with allegedly slight concessions; the Anglo-Saxons would seize not only the little finger but the hand and the whole arm and would draw Spain deeper and deeper into a relationshiup of dependency. I certainly could not believe that this was the intention of the Spanish Government for the chief of state must certainly be clear about the fact that the policies of the English and of the Americans—as they always had been—were interested only in a weak Spain, in contrast to the German policy, which was always intent upon a strong national Spain. I then mentioned in detail those points to which we especially objected (concession by the Spanish Government in the question of passage of French fugitives through Spain to North Africa, compliant conduct of the Spanish Government in the question of Italian merchant ships in Spanish harbors, unjustified internment of various German U-boat crews, withdrawal of the Blue Division, action against German ships in Vigo and in the Canary Islands, and so forth). I told the Caudillo that I considered it my duty to lay before him in all sincerity all these facts of the case summed up, as I had already often done with Count Jordana, and that I was requesting him (Caudillo) to tell me how he stood on these matters.

The chief of state listened to me seriously and calmly and then stated the following: He would like to emphasize at once that there was no question of the Spanish foreign policy changing. He knew quite certainly that the German policy was pursuing the objective of strengthening Spain, while the English and American policies traditionally aimed at weakening Spain. Further, he knew for certain and was clearly conscious of the fact that only the victory of Germany would make possible the continued existence of the regime of Franco; a victory of the Anglo-Saxons, in spite of all the pacifying declarations which would be made to him from time to time in this respect by the English and American side, would mean his own annihilation. He therefore was hoping with all his heart for the victory of Germany and he had only one wish that this victory would come as soon as possible. In the meantime, however, he was in a difficult position. His country was only now recovering slowly from the effects of the civil war, and it could only recover if it imported gasoline and cotton from abroad, products which he could receive only from the Americans and only with English navicerts. The Anglo-Saxons were ready to deliver these things to him and were delivering to a certain extent, they were demanding in return, however, that Spain assume not too outspoken a pro-Axis attitude and that matters which were indisputably unneutral should be discontinued. This was the reason why the Spanish Government recently had permitted a few modifications. The Caudillo took up these points in detail. He said on the subject of the Blue Division that recently it had actually become more difficult to mobilize Spanish volunteers for this unit and that for this reason alone they had to start on a conversion of the division into a weaker legion. The Anglo-Saxons had presented no ultimatum with regard to the withdrawal of the Blue Division, but he had to expect that they sooner or later would present an ultimatum for the withdrawal, whereby the Spanish Government would then find itself in a very difficult position; for this reason he had preferred to anticipate such an ultimatum and to request of the Reich Government the withdrawal of the division. He emphasized, however, that the attitude of the Spanish Government against bolshevism and communism would thereby be altered in no way; and that at home as well as abroad this struggle was continuing, just as against Jewry and Freemasonry. As concerns the question of the passage of French refugees through Spain to north Africa, this was a problem which has for a long time been causing the Spanish Government annoyance and inconveniences. It was a matter of several thousand people, almost all of them bad, undesirable elements, who had in some way succeeded in getting into Spain across the border of the Pyrenees, and who could not be turned over to the German authorities since this would provoke a frightful outcry on the part of the Anglo-Saxons, and who therefore must either be retained in Spain or thrust out over the other borders. The retention of these people meant not only a great financial burden but also a certain internal political danger since it was a matter predominantly of communistic riffraff. He had therefore granted his permission for a large part of these people to be transported to North Africa. To my objection that this was really a matter of a clear favoring of the enemy, who was sticking these men into uniform and then having them fight against Germany, the Caudillo answered by saying that this was not to be feared, since it was a matter of people so inferior and so undesirous of fighting, who had actually fled from France only to avoid work, and that their entry into the De Gaulle army would mean no strengthening of the enemy fighting power worth mentioning at all. Moreover, he had directed that the transports cease from now on. As concerned the Italian ships in Spanish harbors, the Caudillo emphasized that the warships were interned and would remain interned; the crews of the warships would be transported into Spanish camps. As concerned the merchant ships, the legal question was very unclear. In two cases they had not been able to avoid letting the ships put to sea upon the request of Ambassador Badoglio. The other cases were still being investigated, and it was probable that most, if not all, of the ships would be retained in Spain. In this connection it was very important that the Mussolini government order a representative to Spain as soon as possible, to take up these matters, even though previously the points of view of the Mussolini government had already been represented by the Italian shipping interests themselves and by the German Embassy. As concerned the question of the recognition of the Mussolini government, the Caudillo emphasized—just as previously in the conference of October 5—the Spanish Government was ready to receive an unofficial representative. On the question of the U-boat crews, the Caudillo was of the opinion that on this point the English had been extraordinarily sharp in insisting that these crews be interned. The situation according to international law—contrary to the German assertions—had not been cleared up totally without objection, and the Spanish Government had therefore considered it wiser to proclaim for the time being the internment. He could assure me, however, that the crews would be set free gradually, as had already happened in previous cases; and moreover the most important officer, Lieutenant Commander Brandi, the wearer of the Oak Leaves, had, with the consent of the Spanish Government, immediately been let out of Spain. With respect to the attitude of the Spanish press, the chief of state said that it was indeed being kept somewhat more objective and somewhat more neutral to avoid protest from English and American sides, but that it, however, was still quite predominantly appreciative of Germany and sympathetic to Germany, and that it doubtlessly was very much better than any other neutral press, such as the Turkish, Swedish, Swiss, Portuguese, or Argentine. Even with respect to this, only a somewhat more cautious press line had resulted in order to avoid conflicts, the Spanish Government was not, however, thinking of allowing the Anglo-Saxons an inroad into the press, just as little as she was thinking of permitting them an inroad into Spanish foreign policy.

In summarizing, the Caudillo said that he believed that this cautious policy of Spain was not only in the interest of Spain but also in the interest of Germany. If because of a newspaper article or for any other of the reasons mentioned above, a serious conflict with the Anglo-Saxon powers should result, this would in his opinion not at the present moment be desirable for Germany as well;

a neutral Spain which was furnishing Germany with wolfram and other products was, in his opinion, more valuable for Germany at the present than a Spain which would be drawn into the war. Of course, Spain would not go beyond the comparatively trivial concessions mentioned above. Demands as had been made upon the Portuguese by the English side would not be accepted by the Spanish. In a case of this kind Spain would fight. Of course, Spain was not only economically very dependent, but was also militarily rather weak. She had, indeed a good army with brave soldiers and good officers, but she did not have sufficient weapons at her disposal; especially lacking were heavy weapons and airplanes. Had Spain a stronger armament, the Anglo-Saxons would proceed less presumptuously; also Spain would then be able to strengthen Portugal, with whom she was on very friendly terms, against English pressure even more than this had hitherto been possible. The Caudillo therefore urgently requested that if possible we should send more weapons than we had already sent and more than we had had in mind. The chief of state concluded the conversation in a very cordial fashion, by emphasizing again his hope for the German victory and his friendship for Germany and very warmly requested me to greet the Fuehrer most cordially on his behalf.

Of interest was the fact that the chief of state, in connection with the mention of the Portuguese situation, remarked that Salazar, in his conference with Jordana, shortly before the conclusion of the Azores agreement, had stressed the fact that he was finding himself in a very difficult position and was having to give in; not only were the English exerting very strong pressures, but his own, Salazar's, position was being weakened by the fact that General Carmona as well as half of the army was taking a different stand than he himself.

DIECKHOFF.

ITEM B

[From New York Times, Mar. 10, 1959]

MADRID FINES 369 FOR FUNDS ABROAD—PENALTIES TOTAL $5 MILLION FOR THOSE WITH UNAPPROVED DEPOSITS IN SWITZERLAND

(By Benjamin Welles)

MADRID, March 9.—The Spanish Government has cracked down on 369 Spanish citizens found guilty of having maintained unauthorized deposits in Swiss banks.

Fines of nearly 117 million pesetas (about $2,786,000) were announced here today, plus confiscation of foreign money and other assets totaling $1,198,715 in U.S. currency, £8,000 ($22,400) in sterling, and 5,506,213 Swiss francs.

The total revenue that will accrue to the Spanish Treasury following 10 weeks of investigations is estimated at more than $5 million. Those who have been fined may appeal, but only after having deposited the full amounts of the fines and confiscations with the Government.

None of the 369 persons publicly cited are prominent in government, military, or clerical circles. Many, however, are well known socially or are outstanding in business and professional life here or in Barcelona, Bilbao, San Sebastian and other cities.

SWISS BANK'S AGENT HELD

The Government's action stems from the arrest here in December of George Laurenz Rivara, an agent of the Société de la Banque Suisse, whom the Spanish fiscal authorities had been watching.

Rivara's arrest led to the seizure of a list of persons, both Spanish and foreign, with bank deposits in Switzerland—none under specific names, but under numbers.

It is not an offense in Spanish law to have foreign currency or valuables deposited abroad. However, it is an offense when Spanish citizens do not register such holdings with the fiscal authorities here.

The arrest of Rivara became an overnight sensation and a prime topic of conversation throughout Spain. However, because of the tight censorship imposed by Gabriel Arias Salgado, Minister of Information, rumors spread abroad that amounts between $280 million and $1 billion were involved.

The Spanish Government, for reasons still unexplained, has never issued a complete statement detailing what amounts were involved in the case, though cabinet ministers privately complained against the campaign of defamation that they insist the world's press is waging against their country.

TOTAL PUT AT $6 MILLION

Today, a government source of the highest rank said that the overall total was around 300 million pesetas—that is, about $6 million.

The largest fine has been the peseta equivalent of $520,000 assessed against Carlos Sobrino Alvarez, a Madrid coal merchant, who was ordered also to remit $516,057 in foreign-banked dollars. The next highest penalty was $170,000 in pesetas, imposed on Ricardo Gorina Oliver of Barcelona, plus $160,000 in confiscated dollars.

Others who received heavy fines included Ansemlo Bangel Lopez Martin of Madrid, $100,000; Antonio Sabates Vila of Madrid, $70,000, and Constantino Villar Soria of Madrid, $60,000. Most of the fines ranged between $1,000 and $10,000.

The 369 Spaniards who were found guilty were included in a list of 872 names carried today in the government's official bulletin. Publication of the list had been urged for weeks by Falangist groups and newspapers as a political blow at capitalist enemies of the regime.

FOREIGN RESIDENTS NAMED

Apart from the 369 persons fined, the names were divided into five categories. In the first category were 149 foreign residents in Spain, including 3 U.S. citizens who have bank deposits in Switzerland but have violated no laws and against whom the Spanish Government has made no charges.

The three U.S. citizens are George F. Train, a highly respected businessman here and former chief of the U.S. economic aid mission to Spain; Miss Edith Breedon Bulson, for many years a U.S. Embassy employee, and Mrs. Emily Nunn Weldon. There was some surprise that the Spanish Government had listed foreign nationals, whose right to deposit their money abroad is not questioned under Spanish law.

The four other categories of names included Spanish citizens who are absent or whose cases are still being investigated or who were found to have complied with the legal formalities and thus have been exonerated.

ITEM C

[From the New York Times, Mar. 6, 1959]

SPANISH MISUSE OF VOICE IS SEEN—STUDENT LEADER HOLDS U.S. BROADCASTS INTEGRATED WITH PROPAGANDA

A Spanish student leader said yesterday that broadcasts of the Voice of America in Madrid had been integrated with daily Spanish radio propaganda.

The United States has thus been identified with government policy in the mind of the Spanish public, Juan Manuel Kindelan, 26-year-old leader of an anti-Franco student union, said in an interview at the office of Iberica, a publishing concern, at 112 East 19th Street.

He declared that the effect was damaging to the United States irrespective of the broadcasts' content.

Señor Kindelan said that for 6 months before he left Spain, in May 1958 he heard Voice of America 3-minute broadcasts on the regularly scheduled Spanish Government afternoon program of domestic and foreign news. The British Broadcasting Corp. and the Paris radio did not participate, he added.

The United States Information Service at 250 West 57th Street explained yesterday that tapes were sent to Spanish broadcasting stations for use at their discretion. It was not known here or in Washington precisely how or when the material went on the air, a spokesman said.

Señor Kindelan, a Socialist, is a nephew of Gen. Alfredo Kindelan, chief of General Franco's air forces during the civil war. Señor Kindelan is returning from Lima, Peru, where he attended an international student meeting. He lives in Paris.

ITEM D

[From the Progressive, March 1959]

FRANCO'S STRAPERLO GAME

(By Lawrence Fernsworth)

(Lawrence Fernsworth, now a Washington correspondent, has represented the New York Times and the London Times in Spain and other countries of Europe. His articles have appeared in Foreign Affairs, Current History, the Fortnightly (London), and the Economist, among others. His books include "Nothing but Danger," "Dictators and Democrats," and "Spain's Struggle for Freedom.")

The time has come for a full-scale congressional investigation of the regime headed by Generalissimo Francisco Franco, Spain's chief of state, in its dealings with the United States under the so-called bases agreements. These military air bases will have cost us $2 billion or more by the end of the current fiscal year. What has been their value to the United States? How worthwhile are they likely to be in the future? How usefully has American money been spent and to what extent has it served the valid interests of the two countries? What is the impact on world opinion, and particularly on Latin American opinion, of the aid and comfort extended to Western Europe's most odious dictatorship by American military and foreign policy? What is the impact on the feelings and the opinions of Spaniards? Have we earned their good will? Will the bases agreements be fruitful of future good relations between the two countries and their peoples? Is it likely we will ever be allowed to use those bases should the calamity of war overtake us?

Let us look at a few of the facts in an effort to answer these questions.

On New Year's Eve, 1953, Franco broadcast to the world a speech in which he envisaged himself and General Eisenhower, as the American Chief of State, exercising "a rectifying responsibility over the destinies of the universe." The fact that Spain and the United States were both governed by generals provided a greater hope for peace than if civilians were the heads of those governments, he boasted.

Every New Year's Eve since, Franco has addressed the world via the radio, but the fervor of that first speech, so far as a prospective Franco-Eisenhower axis is concerned, has been lacking. It is true that President Eisenhower and Secretary of State John Foster Dulles last year forgot their warning that it is "too late to mock men's hopes with mere words and promises and gestures," and indulged in encomiums of Franco and his regime in a broadcast to the American people. Dulles spoke of the Franco dictatorship as one of the ties that hold the free world together. But on the last night of 1958, Franco's enthusiasm for the rectifying influence of himself and the American President—and for the $2 billion lift his regime is getting from the United States—had so subsided that his 8,000-word speech contained no mention of either Eisenhower or this American bounty—not one word of recognition or thanks.

Since World War II the United States has acquired such broad interests in the Mediterranean area that it has become, in effect, one of the family of Mediterranean countries. Since the Napoleonic Wars, the keystone of that family has been Spain. But Franco's dream of becoming the protector of Mediterranean nations has petered out everywhere. His buttering of Egypt's Nasser, which went to the extreme of lauding his seizure of the Suez Canal, has not brought results. The Arabs have rejected him scornfully. In desperation he has been making friendly gestures toward Russia, whose totalitarian system he praised in one of his speeches, while at the same time proclaiming himself Europe's only sure bulwark against communism—a statement which our well-intentioned but all too naive national legislators seem to believe.

Franco and what he stands for will run out the life span set down for him in history's book—as has happened in such countries as Venezuela, Colombia, and Argentina, and most recently in Cuba. Spain, thereafter, will regain an authoritative voice in Mediterranean councils. Where then will we stand with its people? Will their feelings of disillusionment about us, and their distrust of us, which already runs deep among Spaniards, find issue in some kind of cold war, or will we travel together as friends? This is a primary and paramount question, overshadowing even the transitory question of the "straperlo" game which many Spaniards and other acute observers are convinced Franco is playing with us.

Spaniards have a knack of summing up their bruised feelings about things they detest in an odious nickname, a shibboleth by which they effectively turn thumbs down on what they reject. "Straperlo," the name of a crooked gambling game, was adopted in the thirties and signifies swindle. Now, ironically, Spaniards have dubbed with the word "Eisenhowers" the armed tanks we have been sending to Franco, which they say are being used to render them powerless in their efforts to throw off the dictatorship. The "Eisenhowers" signify partnership with tyranny.

It is not too late to reverse such Spanish thinking by showing them when we say, as President Eisenhower has said, "we shall never acquiesce in the enslavement of any people in order to purchase fancied gains for ourselves," that these words will be implemented by deeds. If we do not, it will hurt us forever.

Franco's big selling point in his "straperlo" game with the United States is that he saved Spain from communism. This is believed by Americans despite the facts spread on the record of history, and despite the testimony of a long line of competent correspondents who had nothing in common with communism that of all European countries the Spanish Republic, up to the time of the war against it jointly by Hitler, Mussolini, and Franco, was least influenced by communism; that it was forced to turn to Russia for arms only when it could not buy them elsewhere.

Here is what a capable former Associated Press reporter, Charles Foltz, wrote about Franco and communism in his revealing and still valid book, "The Masquerade in Spain":

"One day wandering through the halls of the vice-secretariat of press and propaganda of the Falange, seeking a censor, I discovered a room full of anti-Franco pamphlets. They were fresh from the Falange printing presses. The signature was that of the Junta Suprema Nacional [supposed Communist underground]. Not long afterward I received this pamphlet by ordinary mail * * * printed with the same type face and on the same paper as that used in Arriba, the organ of the Falange." The Falange is the official party, headed by Franco. "The Family" [the clique around Franco], the author continued, "knows that Spanish communism is so weak that it must be nursed along to survive."

When the United States continues to pour billions into Spain under the assurance that its dictator saved, and continues to save, Europe from communism, we should examine the validity of that assurance.

"Franco—How Good an Ally?" was the title of an article by New York Times correspondent Samuel Pope Brewer that appeared in the Yale Review before the bases agreements were signed. Because of the truths that he told in this and in other articles, he, like many another honest correspondent, was kicked out of Spain. The question, "How good an ally is Franco?" is as valid a question as ever and needs to be considered on the basis of facts.

In his last year-end speech Franco announced his "neutrality." What does that mean, especially in the light of his flirtations with Russia and with Nasser? He has led us to believe that he was anything but neutral, indeed was our sworn and undying ally in all that concerned the discomfiture of communism. Does this proclamation of "neutrality," along with other warnings directed toward the United States by him personally, by his official spokesmen, or by his personally controlled and inspired press, mean that he is disposed to pull the military rug out from under us when convenient?

Franco began his "straperlo" game the moment we started making our blueprint for bases in Spain. This is revealed in a report made by U.S. Comptroller General Joseph Campbell last year. He reported that there was "no military need for one of the U.S. bases being built in Spain," and "there is no operational need for the facilities planned at San Pablo. * * * Had the Air Force not insisted on the construction of this base it could have saved $5 million." The Air Materiel Command found that base unnecessary for its mission, but, said Campbell, "The project was continued because its rejection would have adverse effects on Spanish-American relations."

Campbell reported further that "the selection of another base site, at Torrejon, 15 miles from Madrid [which by officially published figures has now cost us $69.2 million], was made largely on the initiative of the Spanish authorities who wanted a base near the national capital, and as a showpiece for at least one fighter jet squadron."

Franco is now demanding that this same Torrejon base, which he originally insisted the United States build, be turned over to him as a commercial airport on the plea that it is too near Madrid to be used as a military base. The United States would then be free to build another big base for another $70 million or so, somewhat farther away. This demand was secretly made to several Members of Congress who talked with Franco last fall.

The breakdown of funds so far handed to Spain (according to published dispatches from Madrid, but kept officially secret here) is: modern arms, $350 million; various types of economic aid, $894 million; cost of bases to date; $400 million. A New York Times dispatch tells us that War Minister Antonio Barroso, on his recent visit to Washington, asked for another $400 million to equip five Spanish divisions with modern arms. These figures total more than $2 billion. When the bases agreements were made, the American public was told they would cost a few hundred million at most. When I wrote in Foreign Affairs that the total would run to a billion, the forecast was challenged in some quarters.

The current financial scandal is another example of the Franco government's fraudulent operations, this time involving millions of United States' dollars which have been siphoned out of Spain. Officially the exportation of foreign capital is put at $280 million. Other reports say it is at least $400 million. Some estimates run as high as a billion. At the same time Spain's treasury reserves are down to, at best, $70 million. The trade balance deficit is $215 million.

Although the men around Franco—"The Family"—are making a grandstand show of indignation over the exportation of funds (largely to Swiss banks, but also for the purchase of stock and bonds, and investment in various properties in the United States and elsewhere) the fact is that "The Family" itself has been the exporter. An uncensored dispatch from Madrid reports: "The investments of Dona Carmen Polo de Franco, wife of the Caudillo, in Swiss, American, and Canadian banks, is the subject of jokes and rumors in all the cafes of Spain." Spaniards call her the richest person in Spain.

There is nothing new about this export of capital. It has been going full blast for 2 or 3 years on the pattern set by Latin American dictators, like Cuba's Batista.

Franco well knows that only more and more U.S. dollars can save his regime from collapse. A searching inquiry into the Franco clique's holdings in the United States, in bank deposits, stocks, bonds, and other investments, would be revealing.

Highly pertinent in determining the value of the U.S. military and quasi-political alliance with Franco is the question of the regime's stability. How long is it likely to last? This writer, who witnessed the fall of the monarchy in 1931, sees a strikingly similar situation now. The monarchy and its military dictatorship fell because of rising public sentiment against them and because they were coming apart at the seams—just as is happening now. They fell without violence, like a house of cards in a breeze. It could not stand before the fresh wind heralding—as Spaniards then fondly believed—a new order of freedom.

In Spain, sentiment and political action on the part of university students has had a profound effect on the country's political fortunes—a situation unknown in this country. A survey of 400 students in 1955 revealed they were preponderantly against everything for which Franco stood. Vicente Girbau Leon, a former official of the Spanish Foreign Office who escaped from Spain after being tried for not liking the things Franco stood for, reveals some of the results of this survey in the January issue of the U.S. publication Iberica:

Seventy-four percent of the students accused the government of incompetence, 85 percent of immorality; 90 percent accused the army of ignorance and incompetence, 48 percent of immorality; 67 percent found their professors unqualified; 52 percent accused the church hierarchy of immorality and of dedication to ostentatious and worldly affairs; 67 percent felt the church lacked concern for the workers; 70 percent found the church's social doctrine did not inspire confidence; 70 percent opposed their country's social-economic structure; only 20 percent accepted the Falange's totalitarian philosophy.

These are a few of the highlights of the things we should know about Franco and his dictatorship. Only a few—for the entire list is long. If we must continue our relations with him, it should be on the basis of complete and duly assessed information. Up to now the evidence used to justify our dealings with Spain cannot be found in the record. It is a situation which the croupiers of Franco's "straperlo" game find most profitable, but which is neither helpful to the United States now, nor good for our relations with Spain and her people in the future.

ITEM E

[From the New Leader, Mar. 9, 1959]

TENSION IN SPAIN

(By Bogdan Raditsa)

(Bogdan Raditsa recently spend 4 months in Spain, where he was engaged in research on the philosopher, Miguel de Unamuno.

Raditsa is a professor of European history at Fairleigh Dickinson University.)

The Spanish people are marking the 20th anniversary of Generalissimo Francesco Franco's rule by scarcely disguised contempt for the Caudillo and his regime. The widespread arrests of liberals and socialists all over Spain are not only the symptoms of Franco's unpopularity but one of the clearest signs of his weakness.

This sickness of a decaying regime buttressed by obsolete and weary propaganda is probably the most depressing feeling one has after living in Spain for several months. Yet in no country of Europe is there such a tremendous drive for change and such a strong desire to cross the Pyrenees, the mountain barrier that still seems to hold Spain back from the rest of Europe.

Two generations of Spaniards, one over 40 years of age, the other under, are locked in silent conflict over the question of political and other fundamental changes. Those who still remember the civil war and its horrors have been either resolute or tepid supporters of Franco. They are strongly opposed to any change. To them change means an unpredictable future and the specter of another civil war. But to those who have grown and developed intellectually under Franco's shadow, change means the way to put an end to apathy and backwardness.

That Spain is the most backward country in the Atlantic community is clear to everyone who has lived there recently. At least 50 years behind Italy, young Spain, aware of the progress taking place in all neighboring countries, yearns for advances in all directions: economic, political, social, and cultural. It now wants to be part of Europe, and the archaic, traditionalist, autarchic, and authoritarian Franco regime stands against its powerful desire to "Europeanize."

The most tragic paradox of the new Spanish drama is the opposition of one man, backed by a corrupt police state, to a whole nation's desire for a new way of life. And the more the Caudillo persists in his rejection of change, the more resolved the people become to do all they can to bring about a change.

What, then, is the real possibility of a change in Spain? How could Franco eventually be overthrown? Will Franco finally step down and open the door to a peaceful succession? What are the forces that keep Franco in power and what are those opposing him? What do the Spanish people seek from other nations of the West?

The forces behind Franco are still those that helped the Generalissimo establish himself in power 20 years ago.

The army, the strongest of those forces, has been rebuilt and has achieved such economic and political strength that it is still Franco's major support. Most of the old generals and officer elite from the civil war are dead, leaving Franco without any serious rival. The new generals and colonels are Franco's creatures and see in his perpetuation in power their own security. The regime has given them a remarkable economic situation that makes them eager to postpone any change. In the lower ranks of the army, however, a new feeling of opposition is growing, and it could eventually turn against the dictator.

A similar climate prevails in the old church hierarchy. The old bishops and clergy fear that a change could expose the church to wide-scale persecution. Many bishops are former military vicars, owing their position to Franco. This section of the church still fights against the dead Immanuel Kant and Miguel de Unamuno as much as against the living Jacques Maritain or Luigi Sturzo. They are often in conflict with Rome, and some of the late Pope's encyclicals have been expurgated before publication in Spain. Their feeling of social responsibility toward the people, primarily the peasantry, is limited to a paternalism reminiscent of the Middle Ages. They support the big landed proprietors in the south and still teach the peasantry that to suffer is God's will. Their influence upon the young clergy is weak and diminishing. To them, Spain is still the old fortified castle that must fear God and remain aloof from the liberal and Protestant West.

Together with these two traditional forces, a new class has arisen in Spain as the result of the economic transformation which has inevitably occurred despite the regime's inertia. This new class is not, as one might expect, the old Fascist Falange which has died both as an ideology and a political movement. It is a class of aggressive nouveaux riches whom the regime has made wealthy through corruption and through financial speculation and the use of foreign aid, powerful in obtaining and delivering export and import licenses, thus becoming the strongest vested interest in the State.

Although not exactly a part of the new class—the term has been used in Spain, too, following the publication of Milovan Djilas' "The New Class"—the Opus Dei comes next as a powerful group in the State. It is a Roman Catholic laymen's association that claims to be socially minded and politically enlightened.

The Opus Dei has been publicized often abroad as a Christian Democratic movement. Nothing could be more incorrect. It is a Catholic "Masonry," as it is called even by the Catholics, and is a clearly antidemocratic movement which tries to control the education and, to a certain extent, the finances of the country. It offers Franco an impressive screen behind which he can cover his own passion for power. Though the Opus Dei, as an association of Catholic laymen, denies it possesses any power in Franco's regime and often emphasizes its nonpolitical character, it is strongly attacked by the young revolutionary Catholics and by the Jesuits, who see the role played by Opus Dei in the state as a misfortune for the church.

The Opus Dei has filled the Spanish ideological and political vacuum which was aggravated by the fall of international facism. The Falange remains strong in the government-controlled trade unions, the Sindicatos, whose aim is to keep the workers silent and acquiescent in a regime which has slightly improved their standard of living and provided a certain degree of social security. The decline of the Falange has had another and more complex result: The sons of the old Falangists are today the best recruits for the Communists, if not the most active elements in the Communist underground, which the regime leaves free to act.

The enemy of the regime is not communism, but socialism and liberalism. Franco fights the liberals and the Socialists with greater passion and conviction than the Communists. The latest arrests are not the only example of Franco's eagerness to fight the liberals and the Socialists while permitting the Communists to continue their activities. The Communists, on the other hand, seem satisfied to see Franco eliminate their opponents, for the sole Communist aim today is to promote action "against the foreigner," so as to get the Americans and their bases out of Spain. In that movement, they have the backing of the Falange and, what is even more dangerous, the younger officers, supported by a public opinion which is convinced that Franco's prolonged stay in power is due to American aid.

Though it is understandable that the Americans did not go to Spain to free it from Franco, as they did not go to Yugoslavia to free the Yugoslavs from Marshal Tito, it is nevertheless true that the indifference with which the West looks upon Spain is responsible for Franco's stability. The economic aid that has moved Spain out of stagnation has helped the new class of merchants, middlemen, and managers more than the broad masses of the people. It has made the rich richer and kept the poor poor. This, too, explains the unrest and gives the Communists a useful source of propaganda against the West.

The opinion which the anti-Franco intelligentsia has of the West and its policy in Spain can be summed up as follows: "Spain is an underdeveloped country. The West treats Spain as all the underdeveloped countries. It seems to think that it is easier to work out a policy through a monolithic dictatorship than through a constitutional democratic government. Therefore, all the talk about the West being attached to the principle of democracy leaves us baffled. The Spanish people have now only one alternative: to fight Franco and the West and free themselves from the foreigners whose attitude toward Franco is subservient and opportunist." These opinions are repeated again and again, not only by the liberals and the Socialists, but by the Christian Democrats and nationalists.

They all believe the time has come when they must break with the older generations which, according to them, have betrayed Spain's right to live as a modern democratic society. The Christian Democrats talk with enthusiasm of a revolutionary Christianity that would sweep away medieval feudalism and give Spain greater political and social freedom.

The young Christian Democrats with revolutionary tendencies and the Socialists have much in common. When I was in Spain I was very surprised to be introduced to a Socialist by a young Catholic clergyman and by young left-wing Christian Democrats. In Barcelona I met some anarchists and syndicalists in the home of a priest and they spoke freely and without fear. They were all united against the older generation and against Franco, of course—and against the Communists too.

That is not the case with the youngest group, the young students, who are sympathetic to the Communists. For the Communists are the only ones, I was told, who can organize successful underground action against the regime. Franco's regime has done nothing to help the youth understand the real meaning of Communist action. The books that in the West have opened people's eyes about communism are not obtainable in Spain. Franco fights liberalism and Christian and social democracy. Whenever the Soviet Union achieves a technological victory over the West, Franco is the first one to praise it as the achievement of a strong and totalitarian state and to accuse democracy of decadence.

What are the prospects for the future in Spain? The question of Franco's succession is still an open one. Spain is a monarchy without a king. Two pretenders to the Spanish throne, Don Juan Bourbon, and his son, Don Carlos, one living in comfortable exile in Portugal and the other studying in Spain, are waiting for the succession. The Spanish monarchy, according to the Caudillo, is traditional, Catholic, social and representative, and it could be established as soon as Franco says so. But Franco, a healthy and vigorous man at 66, who seems to desire power for power's sake, doesn't appear ready to move out. Though offered assurances that he would be safe when out of power, he knows that his life in Spain would be endangered.

Yet the longer Franco stays in power, the more remote appears the possibility of a normal and peaceful transition to monarchy. What would happen if Franco should die? When asked this question by one of the most distinguished of Spain's high clergymen, Franco declared serenely that power lies in trustworthy hands, the hands of the

Council of the Realm, which would insure the normal succession under a monarchy.

As this answer did not satisfy the high clergyman, it does not satisfy the younger generation in Spain, who seem convinced that Franco's continued stay in power cannot contribute to the peaceful transformation of the state into a constitutional monarchy. Many predict a new civil war, a new conflict between the old and young, and a new period of anarchy and internecine social strife. Furthermore, an internal separatist movement cannot be excluded. The national feelings of Catalonia and of the Basques are running high again. Franco, with his policy of enforced assimilation, has merely helped strengthen these internal regional passions.

The West can no longer ignore the new developments in Spain. The revolutionary movements sweeping the Middle East have had a direct impact upon Spain. Against change stands not only an old decrepit regime but also the indifference of the West. The only possibility of preventing Spain from moving torward a new civil war in which the Communists might benefit is change in the direction of democracy.

The recent arrests of some of the most distinguished Spanish liberals and Socialists is a new warning not for the Caudillo, but for the West to help Spain to win her freedom.

ITEM F

[From the London Economist, Dec. 13, 1958]

OPERATION TREADING ON EGGS

With 866 housing units for married Air Force officers and enlisted men nearing completion on the outskirts of Madrid, a new white village welcoming Air Force families near Seville, and a housing shortage looming near Cadiz, the American "guests of the Spanish Government" are settling in.

The process entails a degree of diplomacy that is seldom demanded of the individual citizen, even on a visit. Some 17,000 Americans, people more inclined to bounce than to tiptoe, have been shoe-horned into a country traditionally sensitive and suspicious of foreigners. Here they expect to stay, as a corps if not as individuals, for 10 years or more, barring accidents too dire to be contemplated by anyone other than a billeting officer facing a delegation of indignant housewives.

The figure of 17,000 is a symbol rather than a statistic. Given with reserve, it does not include the expansion in force now going on near Cadiz, nor does it include either the large Embassy staff or the swarm of unofficial visitors—businessmen, friends, relatives and so on—who crowd the best Madrid hotels. The American population in Spain is understandably fluid.

The problems it creates for Spain, and itself, are no trifle, but still the worrying that is done about it looks out of proportion. This may be partly because the American Government has been trying so hard to prove that a force of 6-foot fliers, equipped with wives, electric refrigerators, blond children and baby-blue automobiles could be inserted into Spain without disturbing the Spanish economy or upsetting the conservative Spanish sense of how life is lived. The technique chosen to work this miracle is separate living, buying and schooling.

For some time the Air Force has had a hotel on lease in Madrid where incoming service families were lodged on arrival; next the families had to find living quarters in the town, and this increased the city's acute housing problem. Now that the new American suburb near the Torrejon base, called Royal Oak, is nearly finished, families are assigned living quarters there, built to American standards.

Food and clothing are to be had at a commissary and a post exchanged where Air Force wives can buy the tinned goods, packaged groceries and frozen foods that they buy back home. Bread is baked to Air Force specifications, although not always with success; Spanish bakers find it hard to understand why they should substitute foam for their own firm loaf.

The theory is that all this procedure operates without putting pressure on the Spanish economy, that it takes nothing out of it, and avoids the inflationary effect of competitive buying in local markets on the part of housewives equipped with fatter purses than most Spanish women have. It is also supposed to keep the American wife healthy and happy by providing her with approved and familiar goods. It may also please American suppliers and soothe Congressmen.

But behind this somewhat ostrich-like procedure lie other and deeper problems less easily handled. The whole business of building American airbases and housing airmen in another land, is difficult, as the British well know, but for reasons of history on both sides of the Atlantic the Spanish affair has been handled with kid gloves piled on velvet.

So tricky did it seem at first, that all airmen sent to Spain were hand-picked as Catholic, married, and Spanish-speaking. To cushion Spanish sensibilities still further, they could not wear uniforms off the base. Now that the forces are larger, the bases are finished, and the first idea of a huge supply center near Seville has given way to the concept of a small body of Strategic Air Command fliers changing frequently in line with the demands of Operation Reflex (described in the Economist on July 26) most of these precautions have lapsed. Airmen must still wear civilian dress, (and their wives may not wear slacks in public) but some of them are bachelors, and some are even Protestants.

The Americans have provided nearly a billion dollars for use in Spain, and the horn of plenty is still open-ended. What it has bought them, apart from such tangible things as miles of concrete airstrip, and hundreds of buildings on base and in housing units—buildings that will revert to Spain when and if the forces are withdrawn—is, first, an official permission to practice military activities which (as both sides miss no occasion to declare) are as important to Spain as to the United States.

Second, it has bought them an almost embarrassing popularity among the people of Spain, a popularity which is recognized as fragile and certainly reversible, should there be any falling out between the two governments.

New as it all is to the Americans, some of them have heard that it is only 4 years since Spanish mobs crying "Gibraltar for Spain" marched on the British Embassy in Madrid with the clear intention of burning it down. Balked by the police, they smashed every window that gave on the street. If someone were to put it into these same heads to cry, "Torrejon for Spain!" the vast expanse of glass in the American Embassy building would be equally vulnerable.

What the Spaniards have got out of the billion that has been spent is less stressed, and this concession to delicacy may be a mistake.

The Spanish Government maintains firmly that American spending has done almost nothing for them, that far too little has been given, and that much more is needed. The American officials maintain with equal stoutness but less repetition, that they have done a great deal—cushioned bad crop years with food imports, helped railway rehabilitation and roadbuilding; at the same time they insist that their spending, like their presence, has had no harmful effect on the Spanish economy and is in no way responsible for the current inflation.

In private conversation, the benefits to Spain tend to be played down and the problems emphasized. This may be the effect of a short and exacting experience, but the Americans talk like men still uneasy in Spain, who need to reassure themselves, as well as the visitor that everything is going well. The one word that must not be used under any circumstances is "occupation." These forces are "guests of the Spanish Government" and there during good behavior only. The sole hope of staving off a request to go, is by walking as softly as to cause no alarm.

But exemplary behavior—and that is what one sees—can only go so far. What of accidents, such as the highway tragedy involving an American car going at high speed? What of an angry scandal, a public quarrel such as the one that flared up between a Seville bootblack and a young American, and was on its way to the riot stage when a respected Spaniard intervened?

What of an explosion in the pipeline? What of a change in ambassadors if the (U.S.) Republicans lose in 1960? What of General Franco's not eternally postponed end?

These are some of the nightmares that haunt responsible officials. Any one of them might break all the eggs on which the Americans walk so warily. Yet the obvious concern makes one wonder whether the obligations inherent in the guest status have not been overplayed until they too constitute a danger point.

If this operation of bases and pipeline is as truly important to Spain as to the United States, is not the same thing true of the responsibilities of adjustment to each other's ways?

Is there no manner in which the Americans, in this second phase, can convince the Spanish Government that the risks have to be borne jointly? If not, when the honeymoon is over and the base operations become routine, they may find the long-feared incident upon them—and not by chance.

MANUFACTURE AND SALE OF FERTILIZER BY THE TENNESSEE VALLEY AUTHORITY

Mr. ALGER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. ALGER. Mr. Speaker, among the business enterprises which the Hoover Commission pointed out the Federal Government operates in competition with taxpaying private industry is the manufacture and sale of fertilizer by the Tennessee Valley Authority.

Originally justified in part by the fact that the Tennessee Valley area was deficient in supply of fertilizers, the Commission pointed out that by 1954, in competition with private business TVA was manufacturing $19,800,000 worth of fertilizer which it sold in 35 States.

I have today introduced, for the third time, a very simple and modest bill aimed only at finding out what this fertilizer costs and what it ought to sell for.

This bill would not do away, necessarily, with TVA's fertilizer operation. It would simply direct the Comptroller General to look into this operation and lay all the cards out on the table, and it would require this Government operation, if it is to compete with private enterprise, to charge at least a price for

its product which will cover its real cost to the taxpayers.

Can anyone seriously object to determining the real cost of something being manufactured for sale by a Government agency?

COUNTERVAILING DUTY ON WOOL TOPS

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, the distinguished and famous gentleman from Virginia, Senator HARRY F. BYRD, chairman of the Committee on Finance, U.S. Senate, has informed me that he has inserted in the record of his committee's hearings my protest on the proposed removal of the countervailing duty on wool tops from Uruguay by the Treasury Department.

At my request, the very distinguished gentleman has also inserted protests from various labor-management groups in my district and State.

The proposed removal of this countervailing duty on wool tops is just another distressing instance of the destructive operation of current reciprocal trade policies which are having such a disastrous impact upon many American industries.

The disease of reciprocal "treatyitis" which has infected the American economy is seriously undermining the production of American industries and the employment of American workers and taxpayers.

This disease is spreading from one industry to another and is now affecting a wide range of American manufacture and production. Its worst effects are to be observed in the textile industry, but are by no means confined to that industry, since it is now embracing many other industries.

Since the executive department has not generally approved recommendations of the Tariff Commission designed to enforce the peril-point and escape-clause provisions of the trade treaty law, I urge that Congress give immediate attention to the revision of basic reciprocal trade treaty laws, and put real teeth into these laws that will promptly and automatically stop foreign imports injurious to American industry, responsible for causing serious unemployment in this country.

It would be well, in my opinion, to question in such proposed legislation, the very basis of trade treaty laws, and to adopt workable provisions in the form of a quota system, or some similar techniques, for adequately protecting American workers and businesses from ruthlessly cutthroat competition that is threatening to overwhelm our entire productive system.

I have stated time and time again, and now reiterate, that I favor and support mutually beneficial trade and commerce with all free nations. In fact, I am anxious that this Government should encourage and stimulate that kind of commerce and trade in ways that would redound to the mutual benefit of nations of the free world. Drastic and prompt action must be taken, however, to effectively stop the kind of competition from abroad which is crumbling the foundations of the American competitive economy.

In the process of taking this corrective action, Congress should and must gather and evaluate the recent reports that under the offshore procurement program and notwithstanding the Buy American Act, the Navy has purchased large quantities of steel from Japan and TVA has contracted to buy $13 million worth of turbo-generators from England.

What the Navy Department is doing with Japanese steel, I do not know, but am endeavoring to find out.

How a tax-supported, public subsidized agency like TVA, competing against private enterprise business, could so flagrantly purchase electricity-producing equipment overseas that could be procured in this country under conditions more favorable respecting long-term costs for repair, replacement and security safeguards in the event of war and emergency, is completely incomprehensible to me. These agencies should be called upon to explain these apparently unjustified purchases.

These are questions which this Congress must explore and correct. What must the American worker employed in these industries, who painfully pays heavy taxes to this Government, think of this situation? What must American businessmen who are taxed and taxed and taxed almost beyond the point of tolerance and fiscal stability think about these deliberate decisions to patronize foreign business and turn valuable procurement contracts away from their doors.

What kind of policy is it, anyhow, that turns its back on American workers and American industries in favor of foreign workers and foreign industries?

Congress has the duty of coming up with the answers to these questions, if we are to adequately fulfill our constitutional responsibilities which require us to protect, defend and safeguard the interests of the United States and develop its human material and natural resources for the general welfare of the country.

TEXTILES AND ECONOMIC FALLACY

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, under unanimous consent to revise and extend my remarks I include a very illuminating excerpt from a recent editorial of the Saturday Evening Post entitled "America's Textile Industry Threatened by a Maze of Bewildering Restrictions."

This article outlines the extremely difficult problems of the textile industry in trying to cope with the impact of the reciprocal trade treaties. When we consider the $18 billion invested in textiles in this country and the millions of individuals employed directly and indirectly in the industry, the damage inflicted upon this industry by foreign competition arising from the operation of the trade treaties is pathetic and almost unbelievable. It is rapidly liquidating large segments of this once great industry.

The program is inflicting unconscionable damage, detriment, and injustice to a vital American industry, and the worst of it is that the contagion of this paralyzing trade treaty disease, with which the American economy has been inoculated, is spreading to many other important industries.

If some effective way is not found in the Congress before long to control the effects of the operations of the trade treaties, the American economy as a whole will suffer additional staggering, shocking injury which could be disastrous to many industries.

I again urge that Congress give its early attention to these crucial problems. The people are in favor of sound foreign trade; we all want good relations with our neighbors and other nations. But we should insist upon truly reciprocal treatment. Foreign trade should not be a one-way street. It should be mutually and severally beneficial. The present situation which accords great trade benefits to foreign nations and inflicts serious detriment upon our own Nation is an economic fallacy of the first magnitude. It cannot be permitted to keep its deadly stranglehold on American business and the livelihood of American workers and their families.

The editorial follows:

AMERICA'S TEXTILE INDUSTRY THREATENED BY A MAZE OF BEWILDERING RESTRICTIONS

Most Americans respond favorably to the general purpose behind the administration's effort to expand international trade. However, when you get down to cases and understand how the reciprocal-trade program works in specific instances, approval is considerably short of unanimous. The plight of the textile-manufacturing industry, which involves an investment of $8 billion and provides employment for more than a million individuals, plus another million workers and $4 billion investment in the apparel industry, is a case in point. The threat to the cotton-textile industry is a weird combination of obstacles before which any American industry might quail.

First, the textile manufacturer who uses cotton yarn must buy his raw cotton at the price fixed under the agricultural-support program. In the meantime the Government, stuck with cotton which it has accumulated at the support price, sells it in the world market, where the price is about 20 percent under the American "kept" price. Thus the manufacturer in Japan, Italy, or Indonesia is able to buy his major raw material for 20 percent less than his American competitor has to pay.

Why, it may be asked, doesn't the American manufacturer go into the world market for his cotton? The cotton farmers' lobby and its political henchmen have taken care of this possible loophole by placing an import quota on raw cotton. Although most raw-cotton imports are prohibited by the quota, the present duty on cloth, dresses, shirts and underpants made from our exported cotton does not close the gap between the world price and the higher American legislated price.

Another major threat to the textile industry is the difference between American high wages, to a large extent compulsory under various laws and regulations, and the low wages prevailing in competing areas, especially Japan and Hong Kong. The classical free-trade position—advanced by supporters of the General Agreement on Tariff and Trade—is that consumers are entitled to the benefits of low costs in other countries and that, if the American producer cannot meet the competition, he ought to go into some other trade. But, argue the American producers, even if it were desirable to junk the American standard of living in order to boost standards of living elsewhere, it couldn't be done without the repeal of minimum-wage and maximum-hours laws and other protections which the American worker now enjoys.

Furthermore, the U.S. textile man points out, our International Cooperation Administration and other distributors of foreign aid have made the lot of our foreign competitors even easier by helping to equip them with brand new plants and the latest machinery to go with them. Modernization of the American industry, while impressive, has been hampered by inadequate depreciation allowances.

As of now, imports of all textiles are but a small fraction of the total textile production in this country. Furthermore, the American industry exports more textiles than it imports. However, the manufacturer of one category of textiles, ginghams or velveteens for example, heavily hit by low-cost imports, does not benefit because the manufacturer of another variety, like industrial webbing, is unscathed. The ratio of textile imports to exports is far less in favor of exports than it once was, for the obvious reason that our foreign customers are being taken from us by competitors blessed with the advantages already mentioned.

Obviously we cannot build a nonscalable tariff wall around the textile industry. However, it does not seem unreasonable to suggest a compensating import duty on goods made from the cotton which we supply to foreign processors at a 20-percent discount. After all, American flour mills are protected against imports of flour made from wheat sold abroad for less than the support price. A little less enthusiasm for setting up still more textile industries abroad with American money would also contribute.

There would still remain the wide difference between American and Asiatic wages in the affected industries. Probably there is no cure for this except an enforcible quota which should be liberal enough to give the Japanese and foreign industry generally a reasonable share of the market, but drastic enough to prevent disaster to the domestic industry.

THE APPROPRIATION PROCESS AND TAX REVISION

Mr. PHILBIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. PHILBIN. Mr. Speaker, I was pleased to note that the very able chairman of our great House Ways and Means Committee, the distinguished gentleman from Arkansas [Mr. MILLS], and his esteemed colleagues have brought a bill to the floor of the House for taxing life insurance companies.

This important question has been pending in Congress for many years during which the Federal Treasury has lost huge revenues which normally should have flowed into the coffers of the Government. It is satisfying to note that under this bill the income will now be received by our Federal Treasury.

The insurance companies themselves have recognized the need and the justice of such legislation and have been agreeable to an equitable formula setting forth what the industry should pay.

We all know the difficulties presented by such legislation by the very nature of the insurance business, and I think we are all substantially in agreement that the insurance companies should pay their fair share of taxes just as other corporations and individuals. They should be dealt with fairly and equitably by the Government.

I think that Mr. MILLS and the committee should be complimented for their endeavors to work out a measure that will accomplish this result without imposing unfair tax burdens on any segment of our great insurance business.

The problem of reaching a suitable formula to tax life insurance companies and mutual insurance companies, undoubtedly presented a very challenging task for the committee, and I hope that their earnest labors have resulted in a bill which will be agreeably received by the companies concerned and will result in the very substantial revenue which is anticipated from this legislation. At least, we may agree that this is one step in the right direction.

In my opinion, the committee and the House have other important steps which they should take at a very early date to tackle and thoroughly revise the complex, inequitable, outmoded tax system under which the Government is now operating.

The balloon budgets of recent years, annually swelling and inflating in an alarming way, require adequate revenue, if we are not to revert to budget deficits. They must be painstakingly considered, item by item, and all fat eliminated.

In the past 6 years, Congress has cut over $20 billion from the Executive budget, but there is clear indication that the annual budget is still heavily larded with fat. This cannot be tolerated.

Does Congress have adequate efficient machinery for evaluating, going over and cutting these huge annual budgets? Are our committees properly and adequately staffed to examine with scrupulous care the thousands of items that go into these budgets?

Are we equipped to make intelligent cuts that will effect permissible economy and yet not interfere with national security and essential services of the Government.

Do we have the informed know-how and adequate administrative facilities here for following up the expenditures we authorize and appropriate for, on governing and checking waste, extravagance, seeing how funds we appropriate are used, protecting the interests of our taxpayers?

Is there need for more and better cooperation between the executive and legislative branches and the effective coordination of budget-making policies and the actual appropriation of funds to carry them out?

Is there sufficient coordinated effort made to hold down expenditures to the minimum point consistent with national safety and the proper socially conscious conduct of Government.

Do we need here a supplementary joint appropriation body, similar to the one that exists in the tax field, staffed with experts, lawyers, economists, inspectors, and investigators, to go over budget requests with a fine tooth comb, assist the Appropriations Committee in determining minimum necessary expenditures, and follow up the entire appropriating and spending process through departmental levels to make sure that waste and extravagance are minimized and that appropriated funds are efficiently used?

I mention this subject at this time because, as I have indicated, the size of the annual budget bears necessary relation to the size of the national tax levy.

Now for a moment, I would like to deal briefly with the related question of tax revision. From time to time, Congress has made herculean efforts to change and modernize the tax structure, both in its substantive and procedural aspects. Various efforts have been made and legislation presented. One measure I recall was so voluminous that the bill consisted literally of a large book, which, of course, very few Members of this House could possibly read in its entirety since it embodied countless technical changes, let alone fully comprehend its provisions.

The withholding principle, enacted back in the war years, marked a radical tax departure, and, in addition, war taxes, nuisance taxes, and a wide assortment of taxes on about everything from baby oil to transportation, many of them still unfortunately with us, were adopted by Congress.

High rates ranging from 20 percent in the lower to 91 percent in the upper brackets were established. High corporate rates were also enacted. Excise and other Federal taxes imposed a virtually impenetrable labyrinth of regulations written into a tax system so all-embracing, haphazard and uncoordinated that inequities and injustices flourished; fair, clear-cut tax obligations were minimized.

What is worse, exemptions and special administrative rulings applying frequently in a discriminating way, multiply and fasten a tight grip on about every class of the taxpaying public.

Of great concern to all of us are these constantly growing, continually spreading tax burdens weighing down workers, business, farmers, veterans, social security beneficiaries, retired pensioners, and others under the press of laws and regulations freezing inequities, favoritisms, and gross discriminations, lowering standards of living for a huge majority of Americans, working hardships on poor people, swallowing up seed capital in the maws of Government bureaucracy, disrupting and impeding the productive functions of our free enterprise system.

It would be impossible to estimate the hardship, inconvenience, and damage that is being caused by oppressive taxation, nor can we even approximately determine the profound, deteriorative effect of high-bracket taxation on our

economic system—that fabulous mechanism which at once affords work, free play for talent, energy, and ambition, high standards of living, and investment opportunities for our people.

How long can a free enterprise system, constituted as ours, stand up under the oppressive tax burdens that are inexorably weighing it down so heavily as to give genuine concern that its very underpinnings are being undermined, and may, in the not too distant future, collapse?

All of these questions point to the urgency of tax reform of a sweeping nature as soon as Congress can get to it.

Unprecedented demands are being made upon the Federal Government by the States and local communities. The Federal Government has undertaken large, financial support in a great many activities heretofore deemed to be solely within the province of the several States.

How far can we go down this road and retain State sovereignty, or indeed preserve constitutional balance and the vitality of our economic system is a question Congress and the American people will have to determine.

I think that thoughtful Americans are gravely concerned about these trends toward centralism in the guise of national welfare, and I personally believe that before we proceed further along our present economic course that we should stop and take heed of the clear warning signs indicating that we cannot hope to socialize American institutions and at the same time retain the immeasurable benefits and blessings that have come to us and our great country as a consequence of the operations of our free enterprise system. At the moment it seems to me that we cannot further delay vigorous action in these two fields of budgetary reform and drastic tax revision. Nor should we further delay a broad evaluation of alarming trends in Government leading us farther and farther away from our free institutions and State and local autonomy.

I will not here elaborate upon the basic, guiding principles, so well known to Members of the House, which we should follow in this process of regulating our fiscal affairs and tax structure.

We are committed to the fundamental principle of ability to pay. By the same token, we should be very careful and see that this principle is so applied that it will not go beyond the true, reasonable ability to pay, and thus cause hardship, indebtedness, and penalty to our people and our business groups. The vital thing is to move with all practicable speed to harness necessary national expenditure to our true revenue potential under efficient appropriation procedures consistent with maximum economy and under a realistic, modernized Federal tax system, fair and equitable to all and stimulative to our free enterprise institutions.

I hope very earnestly, Mr. Speaker, that the House may soon be prompted to the full implementation of these fundamental principles and wholeheartedly pledge myself, by voice, vote, and vigorous effort to every cooperation.

PRICE SUPPORT LEVEL ON MILK

Mr. QUIE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. QUIE. Mr. Speaker, the news that the Secretary of Agriculture has agreed to maintain the present price support level on milk at $3.06 per hundred is certainly heartening. Many of us have been concerned that the Secretary would lower this support level by 10 cents—to $2.96 per hundred.

A price support drop such as this would have resulted in a difference of approximately $1,327,000 of income for the First District of Minnesota, and would have worked a hardship on the dairy farmers across the Nation.

It was for this reason that I have urged the Secretary not to reduce support prices on dairy products.

The need to continue this level is clear. From a national standpoint, it has been estimated that approximately 1,500,000 farm families of the United States derive all, or a major part of their income, from dairy cows. Dairying produces 19 percent of the gross national income from agriculture—larger than any other segment of our farm economy.

Dairying exerts an important influence on Minnesota's farm income as well. It has been estimated that approximately 9,739,000,000 pounds of milk were produced in Minnesota during 1958.

As a dairy farmer myself, I represent a district composed of 12 counties in southeastern Minnesota which depend on dairying for a substantial part of the farm income. An estimated 1,327,000,000 pounds of milk were sold by farmers of the First District.

The supply and demand situation has so improved in the dairy industry that surplus stocks of butter and cheese have been drastically reduced. Production of milk was reduced this last year rather than increased which occurred in the previous years.

This, coupled with the fact that our population continues to grow, giving us new consumers for milk, gives hope for further improvement in the entire dairy industry and the support price no longer needs to be down at the lowest possible level.

WABASH VALLEY COMPACT

Mr. BOYLE. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. WAMPLER] may extend his remarks at this point and to include a copy of a bill introduced by him.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WAMPLER. Mr. Speaker, I am introducing legislation today which would grant the consent of Congress to the States of Indiana and Illinois to enter into a Wabash Valley Compact.

As stated in article I of the measure, Mr. Speaker, the States of Indiana and Illinois have found that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that under-utilization and inadequate benefits from its potential wealth are likely to continue until there is proper organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development, and other problems to the opportunities in the valley.

To this end it is the purpose of the party States to recognize and provide for such development and coordination and to establish an agency of the party States with powers sufficient and appropriate to further regional planning for the valley.

If for no other purpose than to establish the necessary organizational machinery to devise a master flood control plan for the protection of the people, and their agricultural and property interests, the proposed compact would be of inestimable value.

By way of illustration, Mr. Speaker, there appeared in the Sunday, March 8, 1959, edition of the Terre Haute (Ind.) Tribune an article titled "Reservoirs Needed on Upper Wabash," which statistically documents, in terms of human lives, agricultural acreage and property lost, a portion of the tragic waste and devastation suffered in the Wabash Valley as a result of perpetual flooding.

The story states that—

> The 1913 flood, the worst in the State's (Indiana) history, resulted in damages amounting to $11 million, the 1943 flood damage was $10,660,000 and the loss of six lives, and the 1950 flood resulted in four deaths and damage of $1,662,000.
>
> The 1958 agricultural flood loss of acreage along the Wabash tributaries, including the White River, amounted to 262,500 acres and 224,700 acres in 1957. Total losses in crop value in this area was $10,190,000 in 1958 and $8,874,000 in the previous year.
>
> The lower Wabash in which this area is located lost 174,000 acres of crops valued at $8,340,000 in 1958 and 142,000 acres valued at $6,300,000 in 1957.
>
> The upper Wabash area lost 83,068 acres of crops valued at $3,683,790 last year and 78,267 acres valued at $2,350,948 the year before.
>
> Indiana highway losses due to floods in 1958 cost the counties and the State $602,770 in road repairs and $912,754 in bridge repairs. The 1957 State flood loss figures were $502,187 for roads and $113,417 to replace washed out or damaged bridges.
>
> In Vigo County alone, the financial bill for repair of flood damaged roads in 1958 was $34,605 and $30,000 the year before, with $98,463 being spent on bridge repairs last year and none in 1957.

Mr. Speaker, the losses sustained during the recent 1959 floodings are still being totaled.

I hope my colleagues will appreciate to the fullest extent the absolute necessity for the approval of this measure, which is identical to bills which have been introduced by the gentleman from Illinois [Mr. SHIPLEY], and Senator HARTKE, of Indiana.

Mr. Speaker, under unanimous consent I insert the text of my Wabash

Valley Compact bill at the conclusion of my remarks:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of Congress is hereby given to the States of Illinois and Indiana to enter into the Wabash Valley Compact in the form as follows:

"THE WABASH VALLEY COMPACT

"Article I. Findings and purpose

"The party states find that the Wabash Valley has suffered from a lack of comprehensive planning for the optimal use of its human and natural resources and that under-utilization and inadequate benefits from its potential wealth are likely to continue until there is proper organization to encourage and facilitate coordinated development of the Wabash Valley as a region and to relate its agricultural, industrial, commercial, recreational, transportation, development and other problems to the opportunities in the Valley. To this end it is the purpose of the party states to recognize and provide for such development and coordination and to establish an agency of the party states with powers sufficient and appropriate to further regional planning for the Valley.

"Article II. The Valley

"As used in this compact, the term 'Wabash Valley' shall mean the Wabash River, its tributaries and all land drained by said river and tributaries, to whatever extent they lie within the party states.

"Article III. The Wabash Valley Interstate Commission

"(a) There is hereby created an agency of the party states to be known as the Wabash Valley Interstate Commission (hereinafter called the Commission). The Commission shall be composed of seven Commissioners from each party state designated or appointed in accordance with the law of the state which they represent and serving and subject to removal in accordance with such law. The federal government may be represented without vote if provision is made by federal law for such representation.

"(b) The Commissioners of the party states shall each be entitled to one vote in the Commission. No action of the Commission shall be binding unless taken at a meeting in which a majority of the members from each party state are present and unless a majority of those from each state concur, provided that any action not binding for such a reason may be ratified within thirty days by the concurrence of a majority of each state. In the absence of any Commissioner, his vote may be cast by another representative or Commissioner of his state provided that said Commissioner or other representative casting said vote shall have a written proxy in proper form as may be required by the Commission.

"(c) The Commission may sue and be sued, and shall have a seal.

"(d) The Commission shall elect annually, from among its members, a chairman, a vice chairman, and a treasurer. The Commission shall appoint an executive director who shall also act as secretary, and who, together with the treasurer, shall be bonded in such amounts as the Commission may require.

"(e) The Commission shall appoint and remove or discharge such personnel as may be necessary for the performance of the Commission's functions irrespective of the civil service, personnel, or other merit system laws of any of the party states.

"(f) The Commission may establish and maintain, independently or in conjunction with any one or more of the party states, a suitable retirement system for its employees. Employees of the Commission shall be eligible for social security coverage in respect of old-age and survivors insurance provided that the Commission takes such steps as may be necessary pursuant to federal law to participate in such program of insurance as a governmental agency or unit. The Commission may establish and maintain or participate in such additional programs of employee benefits as may be appropriate to afford employees of the Commission terms and conditions of employment similar to those enjoyed by employees of the party states generally.

"(g) The Commission may borrow, accept, or contract for the services of personnel from any state or the United States or any subdivision or agency thereof, from any interstate agency, or from any institution, person, firm, or corporation.

"(h) The Commission may accept for any of its purposes and functions under this compact any and all donations, and grants of money, equipment, supplies, materials, and services, conditional or otherwise, from any state of the United States or any subdivision or agency thereof, or interstate agency, or from any institution, person, firm, or corporation, and may receive, utilize, and dispose of the same.

"(i) The Commission may establish and maintain such facilities as may be necessary for the transacting of its business. The Commission may acquire, hold, and convey real and personal property and any interest therein.

"(j) The Commission may adopt, amend, and rescind bylaws, rules, and regulations for the conduct of its business.

"(k) The Commission annually shall make to the Governor of each party state, a report covering the activities of the Commission for the preceding year, and embodying such recommendations as may have been adopted by the Commission which report shall be transmitted to the legislature of said state. The Commission may issue such additional reports as it may deem desirable.

"Article IV. Finances

"(a) The Commission shall submit to the executive head or designated officer or officers of each party state a budget of its estimated expenditures for such period as may be required by the laws of that jurisdiction for presentation to the legislature thereof.

"(b) Each of the Commission's budgets of estimated expenditures shall contain specific recommendations of the amount or amounts to be appropriated by each of the party states. Subject to appropriation by the respective legislatures the Commission shall be provided with such funds by each of the party states as are necessary to provide the means of establishing and maintaining facilities, a staff of personnel, and such activities as may be necessary to fulfill the powers and duties imposed upon and entrusted to the Commission.

"(c) The Commission may meet any of its obligations in whole or in part with funds available to it under Article III(h) of this compact, provided that the Commission takes specific action setting aside such funds prior to the incurring of any obligation to be met in whole or in part in this manner. Except where the Commission makes use of funds available to it under Article III(h) hereof, the Commission shall not incur any obligations prior to the allotment of funds by the party jurisdictions adequate to meet the same.

"(d) The expenses and any other costs for each member of the Commission shall be met by the Commission in accordance with such standards and procedures as it may establish under its bylaws.

"(e) The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a qualified public accountant and the report of the audit shall be included in and become a part of the annual report of the Commission.

"(f) The accounts of the Commission shall be open at any reasonable time for inspection.

"Article V. Advice and cooperation

"(a) The Commission shall establish a technical advisory committee which shall be composed of representatives of such departments or agencies of the governments of the party states as have significant interest in the subject matter of the Commission's work: *Provided,* That if pursuant to the laws of a party state a representative of any such department or agency serves as a member of the Comission said department or agency need not be represented on the technical advisory committee. The Commission shall provide under its bylaws for procedures for the reference of questions to such committee.

"(b) The Commission may establish other advisory and technical committees composed of private citizens, expert and lay personnel, representatives of industry, labor, commerce, agriculture, civic associations, and officials of local, state and federal government, and may cooperate with and use the services of any such committee and the organizations which they represent in furthering any of its activities under this compact. The Commission shall encourage citizen organization and activity for the promotion of the objectives of this compact.

"Article VI. Functions

"The Commission shall have power to:

"A. Promote the balanced development of the Wabash Valley by

"(1) Correlating and reporting on data significant to such development.

"(2) Recommending the coordination of studies by the agencies of the party states to provide such data.

"(3) Publishing and disseminating materials and studies which will encourage the economic development of the Valley.

"(4) Recommending standards as guides for local and state zoning and other action which will promote balanced development by encouraging the establishment of industrial parks to facilitate industrial development, the reservation of stream bank and lake shore areas for recreation and public access to water, the preservation of marshes and other suitable areas as wild life preserves, the afforestation and sustained yield forest management of submarginal lands, the protection of scenic values and amenities and other appropriate measures.

"(5) Preparing in cooperation with appropriate governmental agencies a master plan for the identification and programming of public works.

"(6) Cooperating with all appropriate governmental agencies in the encouragement of tourist traffic and facilities in the Valley.

"B. Recommend integrated plans and programs for the conservation, development and proper utilization of the water, land and related natural resources of the Wabash Valley, including but not limited to:

"(1) Encouraging the classification of Valley lands in terms of appropriate uses.

"(2) Cooperating in the development of appropriate plans for flood protection, including but not limited to the construction of protective works and reservoirs.

"(3) Developing public awareness of the need for flood plain zoning and in cooperation with the appropriate agencies of the party states and their political subdivisions evolving standards for the implementation and application of such zoning in the Valley.

"(4) Reviewing the need for and appropriate sources of suitable water supplies for domestic, municipal, agricultural, power, industrial, recreation and transportation purposes.

"(5) Encouraging a pattern of land use and resource management which will increase the natural wealth of the Valley and promote the welfare of its inhabitants.

"(6) In cooperation with appropriate agencies, analyzing the recreational needs and potential of the Valley and developing a program for the use and maximization of recreational resources.

"C. Secure the necessary research and developmental activities by:

"(1) Correlating such research and developmental activities as are placed within its purview by this compact. The Commission may engage in original investigation and research on its own account or secure the undertaking thereof by a qualified public or private agency.

"(2) Making contracts for studies, investigations and research in any of the fields of its interest.

"(3) Publishing and disseminating reports.

"D. Make recommendations for appropriate action to:

"(1) The legislatures and executive heads of the party states and the federal government

"(2) The agencies of the party states and the federal government.

"E. Undertake such additional functions as may hereafter be delegated to or imposed upon it from time to time by the action of the legislature of a party state concurred in by the legislature of the other.

"Article VII. Enactment and withdrawal

"This compact shall become effective when entered into and enacted into law by the states of Illinois and Indiana. The compact shall continue in force and remain binding upon each party state until renounced by legislative action of either party state.

"Article VIII. Construction and severability

"The provisions of this compact shall be severable and if any phrase, clause, sentence or provision of this compact is declared to be unconstitutional or the applicability thereof to any state, agency, person, or circumstance is held invalid, the constitutionality of the remainder of this compact and the applicability thereof to any other state, agency, person or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this compact be reasonably and liberally construed."

SEC. 2. A Federal representative to the Wabash Valley Interstate Commission shall be appointed by the President, and he shall report to the President either directly or through such agency or official as the President may specify. Such representative shall have no vote on the commission. His compensation shall be in such amount, not in excess of $100 per diem, as the President shall specify, but the total amount of compensation payable in any one calendar year shall not exceed $10,000: *Provided*, That if the Federal representative be an employee of the United States he shall serve without additional compensation: *Provided further*, That a retired military officer or a retired Federal civilian officer or employee may be appointed as such representative, without prejudice to his retired status, and he shall receive compensation as authorized herein in addition to his retired pay or annuity but the sum of his retired pay or annuity and such additional compensation as may be paid hereunder shall not exceed $12,000 in any one calendar year. The Federal representative shall be entitled to travel expenses, he shall also be provided with office space, stenographic service, and other necessary administrative services. The compensation of the Federal representative shall be paid from available appropriations for the White House Office or from funds available to the President in connection with special projects. Travel expenses, office space, stenographic, and administrative services shall be paid from any available appropriations selected by the head of such agency or agencies as may be designated by the President to provide such expenses.

SEC. 3. The Wabash Valley Interstate Commission constituted by the compact shall make an annual report to Congress not later than sixty days after the beginning of each regular session thereof.

SEC. 4. The right to alter, amend, or repeal this Act is expressly reserved.

FARM HEARINGS FOR NEW MEMBERS OF CONGRESS

Mr. BOYLE. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. COOLEY] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. COOLEY. Mr. Speaker, I take this time to announce to the House, and particularly to the new Members of the House, that the Committee on Agriculture has set aside next Wednesday and Thursday, March 18 and 19, for the purpose of hearing Members of Congress who desire to appear before the committee and present their views concerning farm problems and programs. We want all Members of the House and especially the new Members to know that we shall be delighted to hear them or to receive statements from them.

The agricultural dilemma that faces the Nation was an important issue in many elections last fall and numerous new Members of the House and Senate were elected on the basis of platforms which included important new proposals for farm legislation.

The Committee on Agriculture is interested in all proposals and anxious to have the new Members of Congress, reflecting as they do the thinking of the people in their districts, make available to the committee such ideas as they may have with reference to agricultural legislation.

The hearings will be held by the full Committee on Agriculture and will start at 10 a.m., in the Agriculture Committee Room, 1310 New House Office Building. The hearings will be open to the public. Members who desire to appear are requested to notify the clerk of the Committee on Agriculture and indicate which of the 2 days, the 18th or the 19th will be most convenient to them.

If the Member desires to submit a written statement, either as part of or in addition to his oral presentation, the committee will be glad to receive it and it will appear in the printed hearing. If a written statement is to be presented, it is suggested that the Member make approximately 50 copies available to the committee at the time he appears, for the use of committee members and for distribution to the press.

TUNISIA

Mr. BOYLE. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. POWELL] may extend his remarks at this point in the body of the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. POWELL. Mr. Speaker, I wish to salute today His Excellency, Habib Bourguiba, President of Tunisia, and His Excellency, Mongi Slim, the Ambassador to the United States, on their country's third anniversary of independence from France on March 20.

Although Tunisia is a young nation and is small and far from wealthy, the country is important for the place she occupies in the heart of the Mediterranean. Fate has given Tunisia a privileged position in the center of the sea which has nurtured civilization. From her favorable position looking both toward Europe and the East, Tunisia has traditionally welcomed men and ideas from either direction. President Bourguiba emphasized a few years ago that Tunisia's responsibilities in the modern world are dictated by her location:

> Never to close her door on men of good will bringing spiritual or material help to offer peaceful cooperation to her neighbors; to be the conciliator between the Arab and Western World.

Let it not be forgotten that Tunisia can also be a barrier standing between them. President Bourguiba advises:

> In a world which has great and obvious need for mutual understanding Tunisia stands out as a land of reconciliation and fraternity between men, religions, and nations.

Although Tunisia has a population of only four million inhabitants and the country itself is no larger than the State of New York, its people have no feeling of timidity when mingling with large Western nations for theirs is an ancient nation whose cohesion and personality have been established for many centuries past. To which ancient cultural heritage has been forged the modern civilization of Arab culture enriched by drawing elements from Islam and the West.

Agricultural production still provides the main part of resources, which as elsewhere is subject to fluctuations and subjects the country to severe repercussion on standards of living and on foreign trade. Therefore, the country is eager to engage in other development to offset the uncertainty and disequilibrium of an agrarian economy and make the necessary economic progress in the modern world. President Bourguiba has announced his country's policy of "total freedom for capital and benefit transfers" for foreign investments in Tunisia. Moreover, he added, mineral resources abound and supply raw materials for industry and agriculture throughout the world. Though he readily admits that natural resources of energy are limited, he informs that labor is abundant and economic development is based on confidence and liberalism. Tunisia realizes she cannot raise the new industries and therefore the President has appealed to foreign investments announcing new and sub-

stantial guarantees providing investors security.

The President has announced that Tunisia desires free, dignified, and loyal cooperation; that Tunisia is modest but proud and will not stoop to begging.

If we of the United States would but study, give thought and react to the wise admonition of President Bourguiba on this Tunisian birthday anniversary which is stated below our position as an ally and friend of all the Afro-Asian countries might be strengthened:

It is incumbent upon the United States, as the responsible leader of the West, to review its policy and to chart a bold new course.

Alliances are only as strong as its members. If certain members bring to the alliance weakness and imperialistic tendencies, the vitality of all the alliance as a whole is undermined. The alliance courts failure, also, if it props up, by artificial means, regimes which command neither the confidence nor the loyalty of their people. We find examples of this today in the Middle East.

There is today among the Arab people an elite which, in the main, is not attracted by the blandishments of Russia or communism. If this elite nevertheless compacts with the Soviet Union, it is with the simple purpose of countering the support which the United States and Great Britain have tendered certain unpopular, corrupt, and tyrannical monarchies and certain vestiges of colonialism.

I am compelled to reiterate the warnings which I have sounded during the last 2 years in my weekly speeches to the Tunisian nation: The United States runs the risk, as the leader of the free world, of losing the battle with Russia by persisting in backing and in indulging those who violate the principles of human liberty and dignity, and the respect for nations.

American policy has been subject to ambiguities. While Soviet intervention in Hungary is strongly criticized, France is supplied with airplanes and bombs for use in Algeria. In the Middle East as elsewhere, the West continues to prop up regimes already in the shadow of extinction, thus bringing upon the Western Alliance the deepening hostility of all the forces of change.

The United States must put an end to such ambivalence and no longer support either France in her actions in Algeria, or regimes similar to the one which existed in Iraq, for the mere sake of agreements and pacts. These allies, instead of strengthening the Western Alliance, are in fact robbing the group of its vitality and creating dangerous vacuums along the peripheries of the free world.

A choice must be made. The United States would do better if, instead of entering into fruitless and propagandistic summit meetings, it would have serious heart-to-heart talks with thoes among its own allies who still harbor imperialistic ambitions at a time of the awakening of all nations to liberty and freedom. America has it in its power to chart a bold new course for the West. America is mighty and her allies could not do without her: The life, security, and prosperity of these allies are bound inextricably to the power of the United States. Only by adopting the new approach, and by obliging its allies to follow suit, can the United States shore up the swaying structure of the free world and command the respect and loyalty of freedom-loving people everywhere.

American policy toward Tunisia is a case in point. Democracy in Tunisia has deep roots and is popular with its people. But the United States, understandably perhaps, continues to be deferential to French opinion. It is needless to invoke here the martyrdom of the Algerian people. The bloodshed in Algeria continues partly because the United States, while sincerely wishing an end to this strife, has failed to use firm and imperative language with its French ally—to oppose the errors and wanderings of passion.

U.S. policy has met failure in the Middle East—the failure which may clear way for greater Russian influence in that area. Yet, there are always lessons in defeat. Out of the setbacks and the disappointments in the Middle East may emerge the guidelines for a new policy, a new and broad course of action.

Such a fresh policy must be carefully conceived and firmly carried out. It must be designed to erase some of the errors of the past and to destroy, by positive action, the misconceptions which have beguiled millions of oppressed people in their craving for liberty. So long as the status of these people remains unchanged, communism will continue to beckon to them as the only salvation from the feudal tyranny of their own regimes and from the domination of imperialistic forces from without.

The alternatives are grim for all concerned, and especially for us. Should the United States lose heart in the defense of the Middle East and Africa and withdraw altogether from its overseas bases which have been the targets of so many irresponsible attacks—should it abandon all its allies including France and Great Britain—not a day would pass before Russian armies would sweep over Western Europe.

The free world owes its existence to the protection of the powerful United States. I state this blunt fact as the chief of state of a nation who is responsible for the security of his people. While we may not hesitate to criticize the United States whenever necessary, we cannot deny the fundamental facts of our survival. To deny them is to yearn secretly for the advent of communism and for the destruction of liberty and dignity everywhere.

ESTABLISHMENT OF TEMPORARY COMMISSION TO STUDY VETERANS' PROGRAM OF THE UNITED STATES IN THE PHILIPPINES

Mrs. ROGERS of Massachusetts. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Massachusetts?

There was no objection.

Mrs. ROGERS of Massachusetts. Mr. Speaker, I have today introduced the following joint resolution:

JOINT RESOLUTION TO ESTABLISH A TEMPORARY COMMISSION TO STUDY THE VETERANS' PROGRAM OF THE UNITED STATES IN THE PHILIPPINES

Whereas many citizens of the Republic of the Philippines served valiantly as nationals and members of the Armed Forces of the United States during World War II;

Whereas notwithstanding the sacrifices of these people in the combat with the common enemy were as great as those of other members of the Armed Forces of the United States, certain benefits are denied these veterans which are now provided other veterans who performed comparable service;

Whereas the problems encountered by Filipino veterans in the matter of benefits under laws administered by the Veterans' Administration and other agencies of the United States have been one of the causes for the demand in the Philippines for a reexamination of the existing relations and agreement between the United States and the Republic of the Philippines; and

Whereas the immediate solution of these problems is necessary to maintain the harmonious relations which have heretofore existed between these two nations: Therefore be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby established a Commission on Filipino Veterans' Benefits (hereafter referred to as the "Commission"), to be composed of five members appointed by the President.

SEC. 2. (a) Any vacancy in the membership of the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

(b) The Commission shall elect a Chairman from among its members.

(c) Three members of the Commission shall constitute a quorum.

SEC. 3. (a) It shall be the duty of the Commission to conduct a thorough and comprehensive investigation and study of the entire veterans' program of the United States in the Republic of the Philippines with a view to determining a just and equitable solution of all problems relating to or growing out of such programs.

(b) Within six months after the date of enactment of this joint resolution, the Commission shall submit to the President and to the Congress a full report of its findings, together with such recommendations as it deems appropriate.

(c) Sixty days after the submission of its report under subsection (b), the Commission shall cease to exist.

SEC. 4. (a) Each member of the Commission shall receive $50 per diem when engaged in the performance of duties vested in the Commission plus reimbursement for travel, subsistence, and other necessary expenses incurred by him in the performance of such duties.

(b) The Commission may appoint and fix the compensation of such personnel as it deems advisable, subject to the civil-service laws and the Classification Act of 1949.

SEC. 5. (a) The Commission may, in carrying out this Act, hold such hearings and take such testimony, and sit and act at such times and places (within the United States and the Republic of the Philippines), as it deems advisable.

(b) The Commission may secure directly from any department, agency, or independent establishment of the Government information, statistics, data, suggestions, and other matter for the purposes of this joint resolution. Each department, agency, or independent establishment shall furnish any of the foregoing matter directly to the Commission upon request of the Chairman.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this joint resolution.

TIGHT MONEY AGAIN

The SPEAKER pro tempore. Under the previous order of the House the gentleman from Texas [Mr. PATMAN] is recognized for 30 minutes.

Mr. PATMAN. Mr. Speaker, this is tight money again. Very tight money.

Raising the discount rate as the Federal Reserve did last week has no meaning in and of itself. This is a point that is frequently misunderstood.

The discount rate is kind of a signal or a barometer. It is a signal of what the Federal Reserve has already done and what it is doing. And, more than that, it is a pretty definite sign that the Federal Reserve expects to continue for some time doing what it has already done. It has tightened money to the extent that within a very few days or weeks we will hear the effects from the

grassroots. The effects have already taken place in the money market and in practically all loan rates.

Since the first of the year, up until March 4—the last report date—the Federal Reserve has reduced its contribution to member-bank reserves by $2 billion. This is a reduction of two billion high-powered dollars. In other words, it reduces the lending power of the private banks by $14 billion.

This reduction in credit was accomplished principally by reductions in the Open Market Committee's portfolio of Government securities. The Open Market Committee has unloaded more than $1 billion worth of Government securities on the open market since the first of the year. We can assume that all or substantially all of this reduction was in Treasury bills. Under its "bills only" policy, the Open Market Committee uses these bills almost exclusively to expand and contract bank credit.

Now can we say just how tight money is?

The Federal Reserve authorities themselves look at what are called net free reserves in the member banks. This is what they consider the best barometer of the degree of credit ease or restraint they are maintaining.

Net free reserves are arrived at this way: You take the total excess reserves in the banking system and subtract the amount of the loans outstanding from the Federal Reserve's banks.

Excess reserves are those on which the member banks can normally make loans or buy securities. In a gross way they measure the banking system's lending power.

Furthermore, in a quite limited sense the borrowings of member banks from the Federal Reserve banks are also bank reserves, because the member banks can make loans or purchase securities on these, too.

The fact is that these borrowed reserves are borrowed for quite brief periods. The Federal Reserve banks lend them not just because member banks want to borrow and are willing to pay the discount rate, but because the member bank is in an emergency situation. The Federal Reserve banks keep member banks having these borrowed reserves under constant pressure to pay them back. This is by regulation and long practice.

So the Federal Reserve authorities look upon loans from the Federal Reserve banks as an offset or as a subtraction from the member banks' excess reserves. When the borrowings from the Federal Reserve bank exceeds the excess reserves in the banking system, this means the banks do not have enough reserves to pay back the reserves they have borrowed, and yet they are under constant pressure to pay them back.

A position of negative or minus free reserves means very stringent credit. Free reserves were minus last Wednesday, the last report date, by $177 million, and this was approximately the same position the Federal Reserve System had the banking system in at about this time in 1957, when the Federal Reserve was then openly admitting and advertising that it was following a very tight-money policy.

MONEY LOOSENED WHEN NOT NEEDED, TIGHTENED WHEN NEEDED

Early last year, at the depth of the recession, the Federal Reserve gave reserves to the private banks. It gave them all told $3.5 billion in reserves. It gave them $1.5 billion through reductions in required reserves and $2 billion through Open Market Committee operations. The banks could create money on these reserves at the rate of $7 of new money for each dollar of reserves. In other words, on this $3.5 billion of reserves the banking system could have created up to $24.5 billion of new money with which to make loans or buy securities. The money was not needed then, because in the recession the demand for business credit was falling. More than that, at the lower interest rates then prevailing in the bond market many of the big corporations were paying off the bank loans they already had outstanding and were going to the bond market for money on a long-term basis.

So what happened was that the private banks used the money-creating power given them last year to buy $10.4 billion worth of Government securities. This was a free gift from the Federal Government of $10.4 billion to the private banks.

In the first part of the present year, however, business recovery has been under way and more bank credit is needed to allow this recovery to take place. So the Federal Reserve System has contracted credit. By reducing its credit to the member banks by $2 billion this year, it has taken back $14 billion of the $24.5 billion of money-creating power it gave the banks earlier last year.

As I have said, the level of the discount rate is an indication, a kind of gage, of how tight the Federal Reserve is making money. So the increase to 3 percent last week brings us back to a rate which the Federal Reserve maintained in the first 7 months of 1957. As you know, that was a very tight-money period. It certainly helped to bring on the recession which began in August of 1957. And many economists think it was solely responsible for the recession.

Now, how have the money market operators and the bond market operators interpreted the 3-percent discount rate?

On Monday, the Treasury held its regular Monday auction of 91-day Treasury bills. The yield on these bills jumped to 3.062 percent, which was the highest since December of 1957. It jumped from a rate of 2.816 percent on the previous Monday, and from a rate of 2.589 percent on the Monday before that. It is principally with these bills that the Federal Open Market Committee regulates the amount of credit available in the banking system, though, of course, when the rates on very short-term securities go up, the rates on long-term securities go up, too.

ALL INTEREST RATES WILL COST CONSUMERS BILLIONS

You may have noted that the Wall Street Journal reported on Monday that 4-percent yields on U.S. Government bonds are now freely available. The Treasury's new 4-percent bonds maturing in 1980 dropped by a full point last Friday following the Federal Reserve's announcement, and dropped another quarter of a point on Monday. In other words, this bond dropped in the open market by $1.25 on the 100 between Friday morning and Monday night.

On Monday, dealers in bankers' acceptances raised their rates by one-fourth of 1 percent and dealers in open market commercial paper raised their rates by one-eighth of a point. The papers for this morning report that the New York banks expect shortly to raise their prime rates. This is the rate which is charged on large bank loans to business firms with preferred credit ratings. The rate is now 4 percent, and we can probably expect it to be raised to 4¼ percent within a few days.

This new tight-money program means that the Treasury will have to pay higher interest rates, and it is confronted with refunding at least $28 billion of the debt this year, not counting Treasury bills and savings bonds. Also this does not count the new financing that will be necessary because of the large Federal deficit this year.

This new increase in interest rates will cost in the neighborhood of a billion dollars a year just in interest charges on the Federal debt. And it will cost consumers many times that amount in increased carrying charges on personal debts and in higher prices, whether or not they buy on credit.

This new tight-money policy means that a heavy damper and huge wet blanket is being put on the business recovery.

The new report on unemployment became available last night. Unemployment did not drop in February as had been widely predicted. Unemployment almost always does drop in February because of seasonal factors. But last month unemployment actually increased by 25,000 people. People who have been unemployed for more than 15 weeks now number more than a million and a half.

Speaking in the most conservative terms I can think of, putting on a new credit squeeze at this time is a shocking thing to do. It is utterly indefensible.

FEDERAL RESERVE SYSTEM FIGHTING "PSYCHOLOGY"

In fact, it is difficult to find any rational excuse for a new credit squeeze at this time. The only halfway plausible excuse that I have seen is one advanced by Miss Sylvia Porter in her column today. It is her thesis that the Federal Reserve System is fighting psychology. And this may be true. By the processes of elimination, the System certainly is not fighting inflation. There is no inflation to be fought and no signs of any. But it is true, as Miss Porter points out, there is considerable "psychology of inflation" in the country. But if this is what the Federal Reserve System is fighting, then it is fighting a psychology which the Federal Reserve people themselves have helped to create. Chairman Martin himself has recently been making public statements of the same kind which President Eisenhower and other administration spokesmen have been making so

freely and which would have us believe that a real and monstrous inflation is upon us, big as life, or is certainly just around the corner. All of this propaganda has frightened a lot of people.

So, if it is true that this new tight-money, high-interest squeeze is merely to fight a psychology, then I say it is too bad that practically the whole Nation has to suffer—everybody except the bankers and big-money lenders—in order to fight an imaginary bogeyman which the administration and the Federal Reserve authorities have themselves created.

Miss Porter's column, or such portions of it as appeared in the Washington Evening Star today, March 12, is as follows:

PSYCHOLOGY OF INFLATION

(By Sylvia Porter)

The Federal Reserve Board has tightened credit again.

It did this by increasing the interest rate it charges the Nation's banks for loans from the System. Thereby it gave the signal to its member banks to charge more for loans they in turn make to you as a businessman or as an individual consumer and it set the stage for another round of borrowing rate increases up and down the line.

Why?

This a strong anti-inflation step. Why this move at a time when unemployment is uncomfortably close to 5 million and a Governor of the Federal Reserve Board openly admits the high level of joblessness is a social, political, and economic problem today?

The first key point is that the Federal Reserve System is not fighting actual, serious inflation. There isn't any actual, serious inflation now.

More specifically, the prices we pay at retail for food, most major products, have been holding steady in a comparatively narrow range and there have been few big upswings in other price areas. There's lots of excess capacity in many lines of industry and most corporations could turn out more goods if the demands were present. There are no signs that consumers are taking off on a buying splurge, no signs that business will boost its spending on new plants and equipment for some time. The auto industry is hardly booming, housing isn't in a runaway advance.

And then there is unemployment, dismayingly high in some key areas. And even in regions which are prospering, there is proper worry about the general economic impact—as well as simple human meaning—of millions of jobless at this stage of a business advance, and of no prospect for a big drop in the totals until the economy is considerably boomier.

No. Regardless of what you may think the White House is saying about inflation or how you interpret the repeated warnings of leading Washington policymakers, actual inflation is not our problem today.

What, then, is the explanation for the tightening of the credit screws at this date?

The answer is that the Federal Reserve System is trying to fight a psychology of inflation—a spreading conviction among increasing numbers of businessmen and wage earners that prices and wages soon are going into another leapfrog upswing and the dollar is doomed to lose buying power rapidly and steadily.

It is this psychology which has been behind much of the indiscriminate buying in the stock market in recent months. In a sense, this buying has represented a flight from the dollar, and it is unreasonable, it is dangerous, it is destructive. It is this psychology which has caused investors to be indifferent to new Government securities. It is this psychology which analysts fear may lead to unsound increases in wages, prices, wild buying.

Reserve Board Chairman Martin has stated flatly that the "inflammable tinder" of inflation is "all around us" and the speculative psychology so clearly evident could spark an inflation blowoff at any time. He has said that only proper public and private actions could avert this blowoff.

Thus the tightening of the credit screws. It is a signal that the Reserve System intends to fight aggressively the psychology of inflation, that it is determined to get in position to combat inflationary forces themselves whenever they emerge. It is a warning to all to act with caution.

THE LATE LT. GEN. FLOYD L. PARKS

The SPEAKER pro tempore. Under the previous order of the House, the gentleman from New Jersey [Mr. CANFIELD], is recognized for 10 minutes.

Mr. CANFIELD. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CANFIELD. Mr. Speaker, Lt. Gen. Floyd L. Parks, who died at Walter Reed Army Hospital early Tuesday morning, was one of the most unforgettable men I have ever met.

While I have long known of the general's outstanding record both in time of war and peace, I never came to know him closely until I was a fellow patient at Walter Reed last September and October. While I was convalescing from surgery, I would join him for breakfast, luncheon, and dinner, and I developed tremendous admiration and affection for him because of his obvious love for his fellow men. Hour after hour, he would relate most interesting stories of extraordinary experiences and always he was wont to speak well of others.

When the general's old alma mater, Clemson, played Maryland on the gridiron last fall, he insisted that I have a front seat with him for the television set in his room.

He was so proud of his family, and I was privileged to meet Mrs. Parks during my stay at Walter Reed. He talked much of his daughter and three sons, one a graduate of West Point and one now a Cadet at the Academy, and the other a lieutenant at Ft. Belvoir.

Last night, when I was a guest of the National Rifle Association at a buffet supper at the association's new headquarters on 16th Street, a guide took me into the general's office, and on his desk was a striking picture of his family. On the walls were framed pictures of his fellow American military commanders, one of them from General Eisenhower, who, in an autographed picture, had paid compliment to "my devoted friend of 38 years."

Phil Casey, staff reporter of the Washington Post and Times Herald, yesterday wrote a story of the passing of this great American, and it reads as follows:

GENERAL PARKS IS DEAD AT 63

(By Phil Casey)

Lt. Gen. Floyd L. Parks, who achieved with ease the unlikely feat of being an Army news boss and popular at the same time, died early yesterday at Walter Reed Army Medical Center.

General Parks will be buried with full honors Thursday, after funeral services at 3 p.m. at Fort Myer Chapel.

The 63-year-old soldier rose from private to general during his 38-year military career with distinguished service in World War II.

Affable and humorous, he became something of a press corps darling during his tenure as Chief of Army Information, most of the time from 1946 to 1953.

SHUNNED CENSORSHIP

The newsmen respected his ability, fairness, and straightforward desire to let the people know. He'd had no news experience, but he had the right impulses, or, at least, the impulses newsmen like. He knew news is news, even if it's bad.

Newsmen who dealt with him in that difficult post, during the years when Chief of Staff Dwight D. Eisenhower was being rumored as a presidential possibility, not only on one but both tickets, found him unfailingly courteous, able, and helpful as he could be.

Recognized as one of the Army's top strategists and field soldiers, holder of a Distinguished Service Medal with oak leaf cluster, and numerous other decorations, he also could tell a good story.

One of them was on him and about Mr. Eisenhower. The two had been old friends, beginning when Ike was a colonel and he was a captain.

"I hadn't seen him for 23 years," General Parks recalled one day, "and I ran into him in England in 1944. He said, 'Hello, Floyd. What happened to your hair?' "

AIRBORNE COMMANDER

A veteran of Army service during World War I, the general took the first airborne troops into Germany in World War II, and after the war was a sort of Mayor of Berlin, with the title, "Chief Kommandator," presiding over meetings of the combined British, French, and Russian commanders of the occupational forces.

"We'd start off like a sandlot baseball team," he said once. "Each speaking his own language. It was a lucky thing for me the British speak English."

Later, he'd have the day's problems written in the three languages. When he pointed to one of the written problems and its suggested answer, what he got was "Da," "Oui," and "Quite right, old man."

The only trophy he picked up in Germany was a wastebasket of Hitler's that he found in the bombed chancellery. It used to sit next to his study desk at Fort Meade, while he was commander of the Second Army from 1953 to 1956.

He was an avid golfer, and a good one, better than his celebrated golfing companion, President Eisenhower. In 1957, he was Middle Atlantic senior champion, and he served as president of the Middle Atlantic Golf Association. He founded a junior golf tournament at Fort Meade.

NATIVE OF KENTUCKY

Born in Louisville, he passed much of his youth in South Carolina, and was graduated from Clemson College there. He enlisted as a private in World War I and later won a commission.

He won his Distinguished Service Medal with the oak leaf cluster for his work as Chief of Staff, Army Ground Forces, early in World War II, and for his service in Europe. There, he was Chief of Staff of the First Allied Airborne Army, taking part in the massive air assault in Holland and the Rhine River crossing. He took command of the First U.S. Airborne Army in May 1945, and led the first American troops into Berlin.

General Parks made all administrative arrangements for the Potsdam Conference in

July 1945, and received an official commendation from President Truman.

In later years, he had been critical of Defense Department supervision over public information on the Military Establishment. His philosophy was that as few impediments as possible be placed in the way of the public's right to know.

DIRECTED NRA

After retiring from service in 1956, he was named executive director of the National Rifle Association, and reaction to him there was just what it had been in the Army and among the press corps here.

A woman who worked with him in the association echoed the warm words of veteran political and golfing writers: "He was one of the nicest people I've ever known."

He is survived by his wife, Harriet M. Parks; a daughter, Edwyna Ann Strain, of Poughkeepsie, N.Y.; three sons, Floyd L. Parks, Jr., a student at the University of Maryland; Cadet Basil M. Parks, now at the U.S. Military Academy; and Army Lt. William R. Parks, of Ft. Belvoir, Va.; and a granddaughter.

Washington's three daily newspapers yesterday carried these editorial tributes:

[From the Washington Post, Mar. 11, 1959]

FLOYD L. PARKS

Lt. Gen. Floyd L. Parks was a fine soldier with an exceptional understanding of the importance of public information. This graduate engineer who served with armored and paratroop forces had a splendid wartime record as Chief of Staff at headquarters of the Army ground forces in Washington, as Chief of Staff of the 1st Allied Airborne Army in Europe, and later as commander of the 1st American Airborne Army and commanding general of the United States sector in Berlin. He led the first American troops into Berlin, helped restore public services in that devastated city, and made administrative arrangements for the Potsdam Conference. Afterward he served two tours as Army chief of information, as deputy Army commander in the Pacific and as commanding general of the 2d Army at Fort Meade before his retirement 3 years ago.

But these cold statistics do not tell the full story about a warm and able man. Floyd Parks had an innate sense of the situation, and his judgment, whether in command or in his information activities, was almost invariably keen. He was a valuable counselor who made his impact felt at top levels. He was an expert golfer and rifleman who also loved a good story. His flair for putting the Army's best foot forward was recognized in the fact that he was twice brought back to the Pentagon as chief of information. His credo, as described in the Army Information Digest, was a simple one which bears much emulation:

"Many people mistakenly think that the primary public information mission is to suppress unsavory stories or at least counter them with favorable releases. In reality it is not possible to suppress news, whether good or bad, and it is poor policy to try. * * * Therefore if the story is bad, I admit it; if it is good, I try to see that the good points are known—and speedily."

In addition to the many military comrades who will miss Floyd Parks are a host of grateful newsmen who respected him as a good friend and ally.

[From the Washington Evening Star, Mar. 11, 1959]

GENERAL PARKS

Lt. Gen. Floyd L. Parks, dead at 63, had a distinguished career in the Army—in peace, in war, and in the difficult period which has beset the world since 1946. Both his competence as a soldier and his skills in the field of interallied administration were reflected in the many honors paid him by our own and other governments. But to newsmen in Washington, and indeed to many from other cities at home and abroad, General Parks occupied a special place of respect and affection. He did two tours of duty as the Army's chief information officer at the Pentagon and they were years of pleasant and productive harmony between that service and the press. On that level, General Parks was serving his country again in the finest tradition of a good soldier—an officer and a gentleman.

[From the Washington Daily News, Mar. 11, 1959]

FLOYD PARKS

Lt. Gen. Floyd Parks, who died here yesterday, was quite a soldier and an extraordinary Army public relations man—though he always insisted he knew nothing about public relations.

What he did know, or sense, was that the art of public relations is basically a strategy of dealing honestly and fully with the press and other outlets of public information.

Serving two terms in this job, covering 6½ years as Army information chief, General Parks constantly endeavored to get across the story of what the Army was doing. Always he had in mind that his audience was the millions of American parents and others whose sons and relatives made up the Army.

When former Defense Secretary Charles Wilson's office interposed authority over General Parks' department, the old paratrooper characteristically spoke up. He told a Congress committee that such interference was keeping him from informing the public of Army men's activities. He was no messenger boy or bookkeeper, he made clear.

As a soldier, General Parks was recognized as a top strategist and field leader. In 1945 he led the first American troops into Berlin as commander of the 1st U.S. Airborne Army. He was not a West Pointer, having come up from enlistment in World War I.

His versatility included many things—from a degree as master of science in mechanical engineering from Yale, to a hole-in-one golf shot while his old friend, President Eisenhower, looked on enviously.

Mr. Speaker, my heart goes out to Mrs. Parks and all the members of the general's wonderful family in their great loss and sorrow.

PASSENGER TRAIN AND FERRY SERVICE

The SPEAKER pro tempore. Under the previous order of the House, the gentlewoman from New Jersey [Mrs. DWYER] is recognized for 5 minutes.

Mrs. DWYER. Mr. Speaker, my colleague, the gentleman from New Jersey [Mr. WALLHAUSER] and I have introduced companion bills today which would amend the Interstate Commerce Act so as to require more adequate consideration of the public interest before passenger trains and ferries are permitted to be discontinued.

The situation which has prompted the introduction of this legislation is a matter of considerable urgency in the New Jersey-New York-Connecticut metropolitan area, as well as other areas of the country in which commuter rail service is important.

I would respectfully call the attention of the distinguished chairman and members of the Committee on Interstate and Foreign Commerce to this matter and urge them to schedule prompt consideration of the legislation.

Since enactment last year of the Transportation Act of 1958, a number of important commuter railroads have hurried to take advantage of a provision in that act making it considerably easier to discontinue passenger train and ferry service. This provision permits discontinuance of service 5 months following notification by the railroad unless the Interstate Commerce Commission orders the service to be continued within the 5-month time limit.

There is now pending before the Commission a total of 27 notices of intention to discontinue about 100 passenger trains. Many of these trains currently provide commuter service of critical importance to metropolitan New Jersey and New York. Discontinuance of the service, without thorough consideration of the public need and the potential impact on the economy of the area, could be disastrous.

Our legislation—which is identical to a bill presently pending in the other body—would assure full consideration of the public interest by the Commission in train discontinuance cases by requiring public hearings in the event of objections to proposed discontinuances, by eliminating the 5-month time limit, and by providing that the ICC make a positive finding that the public convenience and necessity permits of such discontinuance before authority to curtail the service is granted.

Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD by including the full text of a statement issued by my colleague from New Jersey and me, and I invite the attention and the support of all our colleagues.

The SPEAKER pro tempore. Without objection it is so ordered.

There was no objection.

(The statement referred to follows:)

We share the concern that has motivated our colleagues in the Senate to propose a way of assuring full and effective consideration of all the facts before the Interstate Commerce Commission authorizes railroads to discontinue train and ferry passenger service.

The speed with which some railroads in the metropolitan New Jersey-New York-Connecticut area, and in other parts of the country, have moved to use the Transportation Act of 1958 as authority to discontinue important commuter service is disturbing.

Many thousands of New Jersey residents depend on these rail facilities to travel to and from work. Major disruption of this service would seriously and adversely affect the economy of northeastern New Jersey, including the districts we represent.

We recognize that the commuter problem—in our own area as in other areas—is a complex one. It is not going to be solved completely by this single proposal or by any single agency. It is a problem that has accompanied the growth of metropolitan areas and has become more difficult over the past several years, as urbanization itself has intensified.

We have both proposed—and we desire to repeat that proposal here—that any long-range solution to this difficult situation requires the cooperation of the many levels of government involved, Federal, State, and local, and of the many private institutions affected, including rail and motor carriers, as well as the people themselves. We believe

that the Subcommittee on Intergovernmental Relations of the House Committee on Government Relations is an appropriate group to make at least a preliminary study of the possibilities of such cooperation, and we urge again that the subcommittee accept this responsibility.

In the meantime, however, there is need for immediate action.

Under present law, as provided in the Transportation Act of 1958, railroads may petition the Commission to discontinue passenger trains and ferries and 5 months after notification of such an intention—if the Commission has not ordered the service to be continued—the proposed discontinuance may go into effect automatically. No public hearings are required. No procedures requiring adequate consideration of possible objections, or of the need to maintain the particular service involved, are provided for at present.

Consequently, this particular provision has operated, in effect, as an invitation to railroads to abandon a great deal of their passenger facilities—considerably more than they might should they be required to sustain an affirmative case before the ICC that abandonment or discontinuance is in the public interest.

Twenty-seven notices of intention to discontinue about 100 passenger trains are currently pending before the Commission. In addition, some railroads are proposing further abandonments of service. It is, therefore, abundantly clear that the ICC is unable, administratively, to give the full procedural attention to these discontinuance cases necessary to assure protection of the public interest—within the 5 months limitation presently in force.

The bill we propose would add a new paragraph 19 to section 1 of the Interstate Commerce Act revising the procedures under which the Commission would consider railroad requests to discontinue the operation of passenger trains and ferry service.

Railroads would be given an option to apply for authority to discontinue service either to the ICC or the appropriate State agency where States have legislated on the matter. The Commission would be obliged to hold a hearing before acting on discontinuance applications, and all interested parties would be permitted to be heard. Thereafter, ICC procedures would be similar to those ordinarily followed in cases involving proposed abandonment of an entire railroad line. No time limit would be imposed within which the Commission would be required to make a decision. And the Commission would be empowered to set certain conditions in discontinuance cases which it found were required in the public interest.

We believe that such a procedure represents a fair compromise between the method in effect prior to passage of the Transportation Act of 1958 and the method instituted by that act. The interests of both the rail carriers and the commuting public—as well as the public at large—would be properly recognized, and any decisions regarding discontinuance of railroad passenger service would be made only after all relevant factors had received full consideration.

As we have indicated, we do not consider this proposal the last word on the subject, or the conclusive means for solving the present commuter crisis. But we believe that maintenance of adequate railroad commuter service is of critical importance right now, and no time should be lost in beginning hearings on this admittedly stop-gap proposal in both houses of the Congress.

PASSENGER TRAIN AND FERRY SERVICE

Mr. WALLHAUSER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. WALLHAUSER. Mr. Speaker, I have today introduced a bill proposing amendment of the Interstate Commerce Act to provide for thorough consideration and review by the Interstate Commerce Commission of applications for discontinuances of railroad passenger trains and ferries.

I consider this a highly important bill. It is a companion bill to one introduced here today by my distinguished colleague from New Jersey, Representative FLORENCE P. DWYER. It also is similar to a bill introduced in the other body by a bipartisan group of Members.

It is my sincere hope that many Members of this body will join with us in this action, through introduction of bills of their own, so that the weight and prestige of their numbers will impress upon the appropriate committee the immediate importance of this matter.

This bill is in the public interest, particularly for the many great metropolitan areas of our Nation. I believe its adoption is essential if we are to keep faith with those hundreds of thousands of people throughout the Nation who must depend upon railroad commutation service to carry them back and forth to work.

My bill would change a section of the Interstate Commerce Act amended last year. Since enactment of last year's amendment, railroads in many areas of the Nation have virtually leaped into action to seek the discontinuance of trains under the relatively soft terms of that amendment.

Presently there are 27 notices of intention to discontinue some 100 passenger trains pending before the Interstate Commerce Commission. It appears obvious that these are only the start of an avalanche of similar applications. Some railroads even have stated unequivocally that they will seek to completely wipe out commuter services on their roads.

Under terms of present laws, it is conceivable that this could happen rapidly. I cannot believe that this was foreseen in adoption of the 1958 amendment. If it does happen, it will have a catastrophic impact on many of the great metropolitan areas of our Nation.

The 1958 amendment has imposed an unreasonable time limit on the Interstate Commerce Commission in its consideration of discontinuance applications. It is obvious the Commission cannot now give full and needed consideration to all applications before it, and those that they may reasonably expect in the near future, under the time limit. My bill would correct this condition.

My bill also would make it compulsory for the Commission to hold public hearings on the discontinuance applications presented to it. The changes that I propose would in no way diminish the rights the railroads now enjoy under law. However, they would give greater rights to the public when the railroad services that are so essential to them are threatened with extinction.

I am keenly aware of the financial troubles of the railroads. But I am also keenly aware that we cannot permit rapid and wholesale discontinuances and abandonments of railroad services without giving full and deliberate consideration to the rights and needs of the general public.

I do not hold for a moment that my proposed amendment is a cure-all for the plight in which the railroad commuter finds himself because of circumstances beyond his direct control. At best what is proposed here is a mild antidote, but a sorely needed antidote.

It will prevent hasty action. It will serve to help prevent action wherein the rights of the railroads could be allowed to take precedence over the rights of the people.

It will provide added opportunity for the railroads and proper Government agencies to carry out their joint responsibility of finding a solution to the commuter service problem before it is too late.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. MCGINLEY, from 4 p.m. March 12 to 1 p.m. March 18, on account of official business in his district.

Mr. SMITH of Virginia (at the request of Mr. GARY), for the remainder of the week, on account of illness.

Mr. ROOSEVELT, for Friday, March 13, on account of official business in his district.

Mrs. KELLY of New York (at the request of Mr. KEOGH), for Thursday, March 12, 1959, and Friday, March 13, 1959, on account of death in family.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. CANFIELD, for 10 minutes, today.

Mrs. DWYER, for 5 minutes, today.

Mr. ALGER, for 60 minutes, on Tuesday next.

Mr. CONTE, for 5 minutes, on Monday next, March 16, 1959.

Mr. BECKER (at the request of Mr. SMITH of California), for 1 hour, on tomorrow.

Mr. KING of Utah, for 45 minutes, on Monday, March 16.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks, was granted to:

Mrs. GRANAHAN.

Mr. BUDGE.

Mr. POAGE.

Mr. SLACK.

Mr. PHILBIN and to include extraneous matter.

(At the request of Mr. SMITH of California, and to include extraneous matter, the following:)

Mr. WAINWRIGHT.

Mr. DORN of New York in two instances.

Mr. FLYNN and to include extraneous matter.

(At the request of Mr. BOYLE, the following Members were given permission to revise and extend their remarks in the RECORD:)

Mr. MULTER in two instances and to include extraneous matter.

Mr. FOGARTY and to include extraneous matter.

Mr. JENNINGS.

Mr. MCGINLEY in two instances and to include extraneous matter.

ADJOURNMENT

Mr. BOYLE. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 8 minutes p.m.) the House adjourned until tomorrow, Friday, March 13, 1959, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

701. A letter from the Director, Bureau of the Budget, Executive Office of the President, relative to the appropriation to the Department of Health, Education, and Welfare for "Indian health activities, Public Health Service," for the fiscal year 1959, has been apportioned on a basis indicating a need for a supplemental estimate of appropriation for pay increases granted by Public Law 85-462 for employees paid under this appropriation, pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

702. A letter from the Administrator, General Services Administration, transmitting the report of the Archivist of the United States on records proposed for disposal under the law; to the Committee on House Administration.

703. A letter from the Secretary of Labor, transmitting a report prepared by the Administrator of the Wage and Hour Division, which sets forth information concerning the operation and effect of the act and statistical data provided by the Bureau of Labor Statistics, pursuant to section 4(d) of the Fair Labor Standards Act; to the Committee on Education and Labor.

704. A letter from the Comptroller General of the United States, transmitting a report on examination of the Department of the Air Force contract AF 33(600)-31100 with Avco Manufacturing Corp., Crosley Division, Cincinnati, Ohio; to the Committee on Government Operations.

705. A letter from the Governor, Canal Zone Government, transmitting a report of disposal of foreign excess property by the Panama Canal Company and Canal Zone Government for the year ended December 31, 1958, pursuant to the Federal Property and Administrative Services Act of 1949 (63 Stat. 398); to the Committee on Government Operations.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Montana:

H.R. 5594. A bill to amend the Internal Revenue Code of 1954 to continue the exclusion, from the basis of certain excise taxes, of discounts and rebates for cooperative local advertising; to the Committee on Ways and Means.

By Mr. DEROUNIAN:

H.R. 5595. A bill for the relief of certain hospitals which received loans pursuant to the Federal Civil Defense Act of 1950; to the Committee on Armed Services.

By Mrs. DWYER:

H.R. 5596. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FINO:

H.R. 5597. A bill to amend title II of the Social Security Act to provide that an individual's entitlement to child's insurance benefits shall continue, after he attains age 18, for so long as he is regularly attending school; to the Committee on Ways and Means.

By Mr. KOWALSKI:

H.R. 5598. A bill to authorize the President to issue posthumously in the name of George Washington a commission as General of the Army, and for other purposes; to the Committee on Armed Services.

By Mr. LIBONATI:

H.R. 5599. A bill to amend section 106 of title 38, United States Code, to provide veterans' benefits for female contract surgeons who served with the Armed Forces during World War I; to the Committee on Veteran's Affairs.

By Mr. McGOVERN:

H.R. 5600. A bill to increase and extend the special milk program for children; to the Committee on Agriculture.

H.R. 5601. A bill to provide that for the purpose of disapproval by the President each provision of an appropriation bill shall be considered a separate bill; to the Committee on the Judiciary.

H.R. 5602. A bill to amend the Federal Trade Commission Act, as amended, so as to equalize rights in the distribution of merchandise identified by a trademark, brand, or trade name; to the Committee on Interstate and Foreign Commerce.

By Mr. MACK of Illinois:

H.R. 5603. A bill granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes; to the Committee on the Judiciary.

By Mr. MEYER:

H.R. 5604. A bill to increase the authorized maximum expenditure for the fiscal years 1959, 1960, and 1961 under the special milk program; to the Committee on Agriculture.

By Mr. NORBLAD:

H.R. 5605. A bill to amend the Internal Revenue Code of 1954 to make it clear that the tax on transportation of persons does not apply to ferry service provided by State-operated ferryboats; to the Committee on Ways and Means.

By Mr. PROKOP:

H.R. 5606. A bill to amend subchapter III of chapter 15 of title 38, United States Code, to provide pension for widows and children of World War I veterans at the same rates as apply in the case of widows and children of Spanish-American War veterans; to increase the income limitations applicable thereto; and to eliminate annuities in the compensation of such time; to the Committee on Veterans' Affairs.

By Mr. RHODES of Arizona:

H.R. 5607. A bill to provide for the preservation and development of the domestic fluorspar industry; to the committee on Interior and Insular Affairs.

By Mr. WALLHAUSER:

H.R. 5608. A bill to amend the Interstate Commerce Act, as amended, so as to strengthen and improve the national transportation system, insure the protection of the public interest, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WAMPLER:

H.R. 5609. A bill granting the consent and approval of Congress to the Wabash Valley compact, and for related purposes; to the Committee on the Judiciary.

By Mr. HARRIS:

H.R. 5610. A bill to amend the Railroad Retirement Act of 1937, the Railroad Retirement Tax Act, and the Railroad Unemployment Insurance Act, so as to provide increases in benefits, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. ALGER:

H.R. 5611. A bill to provide for a survey of the production of fertilizer by the Tennessee Valley Authority, and for other purposes; to the Committee on Government Operations.

By Mr. ANFUSO:

H.R. 5612. A bill to create a Science and Technology Agency, and to transfer to it certain existing agencies and functions of the Federal Government; to the Committee on Science and Astronautics.

By Mr. BROWN of Missouri:

H.R. 5613. A bill to increase and extend the special milk program for children; to the Committee on Agriculture.

By Mr. COAD:

H.R. 5614. A bill to enable producers to provide a supply of turkeys adequate to meet the needs of consumers, to maintain orderly marketing conditions, and to promote and expand the consumption of turkeys and turkey products; to the Committee on Agriculture.

H.R. 5615. A bill to amend section 105(b) of the Agricultural Act of 1949, as amended, relating to price support for oats, rye, barley, and grain sorghums; to the Committee on Agriculture.

By Mr. COLLIER:

H.R. 5616. A bill to establish reciprocal import quotas upon the importation of confectionery and chocolate into the United States from foreign countries which impose quotas upon imports of confectionery and chocolate from the United States; to the Committee on Ways and Means.

By Mr. DINGELL:

H.R. 5617. A bill to repeal the cabaret tax; to the Committee on Ways and Means.

By Mr. DIXON:

H.R. 5618. A bill to recognize the authority of the States relating to the control, appropriation, use, or distribution of water within their boundaries, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. FARBSTEIN:

H.R. 5619. A bill to prohibit discrimination in employment because of race, religion,

color, national origin, or ancestry; to the Committee on Education and Labor.

By Mr. FULTON:

H.R. 5620. A bill to provide for the establishment of a Federal Advisory Council on the Arts to assist in the growth and development of the fine arts in the United States; to the Committeee on Education and Labor.

H.R. 5621. A bill to provide for the appointment of an assistant to the Secretary of State to assure joint policy and planning and equitable budgeting of exchange-of-persons programs and administrative cooperation between staffs engaged in carrying out such programs; to the Committee on Foreign Affairs.

By Mrs. GRANAHAN:

H.R. 5622. A bill to amend the act of June 10, 1955, as amended, so as to establish the hours of work for rural carriers, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. GUBSER:

H.R. 5623. A bill to amend title II of the Social Security Act to provide that disability determinations (for purposes of disability insurance benefits and the disability "freeze") shall hereafter be made by or under the direction of the Secretary of Health, Education, and Welfare rather than by State agencies; to the Committee on Ways and Means.

H.R. 5624. A bill to amend the Internal Revenue Code of 1954 to provide that the Secretary of the Treasury shall be bound by decisions of certain Federal courts; to the Committee on Ways and Means.

By Mr. JOHNSON of Colorado:

H.R. 5625. A bill to permit a woman who is the widow of two totally disabled veterans of World War I to receive benefits as the widow of either of such veterans; to the Committee on Veterans' Affairs.

By Mr. KING of Utah:

H.R. 5626. A bill to provide grants to the States to assist them in informing and educating children in their schools about the harmful effects of tobacco, alcohol, and other potentially deleterious consumables; to the Committee on Education and Labor.

By Mr. LESINSKI:

H.R. 5627. A bill to amend section 402 of the Federal Employees Uniform Allowance Act, approved September 1, 1954 (title IV, Public Law 763, 83d Cong.), as amended; to the Committee on Post Office and Civil Service.

H.R. 5628. A bill to amend section 402 of the Federal Employees Uniform Allowance Act, approved September 1, 1954 (title IV, Public Law 763, 83d Cong.), as amended; to the Committee on Post Office and Civil Service.

H.R. 5629. A bill relating to increases in compensation granted to wage board employees; to the Committee on Post Office and Civil Service.

H.R. 5630. A bill to amend section 9(a) of the Civil Service Retirement Act, relating to computation of annuities; to the Committee on Post Office and Civil Service.

By Mr. METCALF:

H.R. 5631. A bill providing for payments as incentives for the production of manganese; to the Committee on Interior and Insular Affairs.

By Mr. MONAGAN:

H.R. 5632. A bill to extend by 6 months the period for which additional benefits may be paid under the Temporary Unemployment Compensation Act of 1958; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 5633. A bill to amend the District of Columbia Income and Franchise Tax Act of 1947 with respect to the deduction of medical expenses; to the Committee on the District of Columbia.

By Mr. STAGGERS:

H.R. 5634. A bill to establish a program of economic relief for distressed areas through a system of loans and grants-in-aid; to the Committee on Banking and Currency.

H.R. 5635. A bill to authorize a 5-year program of grants and scholarships for collegiate education in the field of nursing, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. WAINWRIGHT:

H.R. 5636. A bill to amend the War Claims Act of 1948, as amended, and the Trading With the Enemy Act, as amended, and to provide for the payment of certain American war damage claims; to the Committee on Interstate and Foreign Commerce.

By Mr. WILSON:

H.R. 5637. A bill to amend section 217 of the Social Security Act to provide that certain military or naval service not now creditable toward benefits under title II of such act may be counted toward such benefits if such service is not used in determining entitlement to, or the amount of, military retired pay; to the Committee on Ways and Means.

H.R. 5638. A bill to provide that in determining the amount of retired pay, retirement pay, or retainer payable to any enlisted man, all service shall be counted which would have been counted for the same purposes if he were a commissioned officer; to the Committee on Armed Services.

H.R. 5639. A bill to amend section 410 of title 38, United States Code, to provide that all retired members of the uniformed services who served not less than 25 years on active duty, or who were retired for disability in excess of 50 percent, and who die after 1956 shall be considered to have died service-connected deaths; to the Committee on Veterans' Affairs.

By Mr. MILLS:

H.R. 5640. A bill to extend the time during which certain individuals may continue to receive temporary unemployment compensation; to the Committee on Ways and Means.

By Mr. SIMPSON of Pennsylvania:

H.R. 5641. A bill to extend the time during which certain individuals may continue to receive temporary unemployment compensation; to the Committee on Ways and Means.

By Mr. HULL:

H.J. Res. 304. Joint resolution to establish a commission for the celebration of the 100th anniversary of the birth of Gen. John J. Pershing; to the Committee on the Judiciary.

By Mr. McGOVERN:

H.J. Res. 305. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. TOLLEFSON:

H.J. Res. 306. Joint resolution designating the daffodil as the national flower of the United States; to the Committee on House Administration.

By Mrs. ROGERS of Massachusetts:

H.J. Res. 307. Joint resolution to establish a temporary commission to study the veterans' program of the United States in the Philippines; to the Committee on Veterans' Affairs.

By Mr. SIKES:

H. Con. Res. 103. Concurrent resolution to commemorate the quadricentennial anniversary of Florida and to recognize the quadricentennial anniversary commission of that State; to the Committee on the Judiciary.

MEMORIALS

Under clause 3 of rule XXII, memorials were presented and referred as follows:

By Mr. JOHNSON of Colorado: Joint memorial of the Senate and the House of Representatives of the State of Colorado memorializing the Congress of the United States to enact legislation to bring the State of Colorado under the provisions of section 218 (d)(6)(C) of the Federal Social Security Act; to the Committee on Ways and Means.

By Mrs. ROGERS of Massachusetts: Memorial of the Commonwealth of Massachusetts memorializing the Congress to establish a Federal domiciliary hospital in New England; to the Committee on Veterans' Affairs.

By the SPEAKER: Memorial of the Legislature of the State of Alaska, memorializing the President and the Congress of the United States relative to requesting immediate enactment of Senate bill No. 1, pertaining to Federal grants to needed aviation facilities; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADAIR:

H.R. 5642. A bill for the relief of Anastacio de Vaga; to the Committee on the Judiciary.

By Mr. ADDONIZIO:

H.R. 5643. A bill for the relief of Epamionnda Eddie Marsal; to the Committee on the Judiciary.

By Mr. BARR:

H.R. 5644. A bill for the relief of Mr. Albert Keil; to the Committee on the Judiciary.

By Mr. BOSCH:

H.R. 5645. A bill for the relief of Christopher J. Mulligan; to the Committee on the Judiciary.

By Mr. DEROUNIAN:

H.R. 5646. A bill for the relief of Jolanda Ferretti; to the Committee on the Judiciary.

By Mr. FARBSTEIN:

H.R. 5647. A bill for the relief of Wong Gee Sing; to the Committee on the Judiciary.

H.R. 5648. A bill for the relief of Chan Choy Kam; to the Committee on the Judiciary.

By Mr. OSMERS:

H.R. 5649. A bill for the relief of Marie Haiadjian; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 5650. A bill for the relief of Antonio Valenti; to the Committee on the Judiciary.

H.R. 5651. A bill for the relief of Antonio Testoni; to the Committee on the Judiciary.

By Mr. RIEHLMAN:

H.R. 5652. A bill for the relief of Marko Klapan; to the Committee on the Judiciary.

By Mr. SANTANGELO:

H.R. 5653. A bill to confer jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Henry G. Mathusek; to the Committee on the Judiciary.

By Mr. SMITH of Mississippi:

H.R. 5654. A bill for the relief of Leo Shoenholz, Tobias Kaplan, the Kroger Co., and Cleveland State Bank, all of Cleveland, Miss.; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Repeal of the Hiss Act

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 12, 1959

Mr. MULTER. Mr. Speaker, today I presented my statement in support of H.R. 578 which I introduced to repeal the so-called Hiss Act before the House Post Office and Civil Service Committee.

My statement was as follows:

STATEMENT OF REPRESENTATIVE ABRAHAM J. MULTER, DEMOCRAT, OF NEW YORK, BEFORE THE HOUSE POST OFFICE AND CIVIL SERVICE COMMITTEE, THURSDAY, MARCH 12, 1959, IN SUPPORT OF H.R. 578

Mr. Chairman, allow me to express my appreciation for this opportunity to explain the purpose of my bill, H.R. 578 and to urge its careful consideration by this committee.

The purpose of the bill is quite simple to explain. It is to repeal in its entirety Public Law 769 of the 83d Congress—the so-called Alger Hiss Act. This act, as you know, prohibits the payment of annuities or retired pay to retired civilian officers and employees of the Federal Government and to retired military officers and enlisted men who are or who ever have been convicted of certain criminal offenses or who commit certain acts in the future.

It is my firm belief that not only is repeal the simplest way to handle what promises to develop into a very complicated problem, but that it will prove to be the most effective and the cheapest way of doing it. I say this because, first, the law is grossly unfair to the great majority of persons to whom it applies and should, therefore, be either abolished or amended so as not to apply to them. Second, as regards the other individuals to whom it applies, the law is subject to attack on a number of constitutional grounds, and if allowed to stand it will be the subject of endless litigation with the probable result that its provisions will gradually be chipped away by the courts.

First, I would like to discuss the broader policy aspects of the law.

This law was passed during what might be termed the witchcraft era on Capitol Hill. When I say this I do not mean to imply that I do not think that we have never had a national security problem in this country or that we might not have one in store for us. However, looking back to the year 1954, I think that our increased concern with this problem made us lose sight of its true dimensions. In such a setting, the Hiss Act passed the House of Representatives, unchallenged and undebated. And this despite the warnings of Civil Service Commission officials that the legislation's language was so general and vague that numerous inequities and hardships would result from it.

From the reports I have seen and heard, a good number of these hardship cases have already presented themselves. To date some 200 civil service retirees have been denied annuities approximately some $300 million in benefit rights. I do not claim familiarity with all of these cases.

I have heard of some, however, which demonstrate the extreme injustices which can result from the provisions of the act. For example, a study undertaken by the Federal Bar Association in 1956 disclosed that 51 out of the 64 cases that had arisen at that time involved offenses that had been committed prior to the law's enactment. Thirteen of these 51 cases—more than 25 percent—concerned employees who had been hired or rehired by the Government after they had been convicted and punished for the offense for which their annuities were later denied.

The Government, in other words, employed these persons with full knowledge of their past convictions. They were allowed to work for years, making contributions to the civil service retirement fund with the expectation of retirement benefits for themselves and their families when they reached the eligible age. Out of a clear sky, this law appeared on the statute books and their plans and dreams for a secure old age vanished into thin air. This, I submit, is not in keeping with the American concept of justice and fair play.

The Hiss Act, like charity, it might be said, covers a multitude of sins. About one-third of the crimes for which a person can lose his retirement rights are misdemeanors. Thus, a very valuable property can be lost for a minor offense. It has been reported that one employee lost an annuity valued at over $49,000 for a conviction in which the court saw fit not to impose any fine or imprisonment. Another case involved a person who in his youth stole a ham from the Army. This law, is seems to me, fails to comply with the basic principle of criminal law of trying to make the punishment fit the crime.

There are other proposals before this committee to amend Public Law 769 so as to eliminate many of the problems I have referred to. The administration, I understand, has finally realized the problems that have arisen because of this law, which it advocated in 1954. It now offers proposals to amend it to apply only to convictions for disloyalty reasons.

As I stated earlier, however, I believe that the problem would be best solved by repealing the statute entirely, as my bill, H.R. 578, would do.

I shall not undertake at this time to present a brief on the unconstitutionality of the law. That is a study which this committee is better equipped to undertake than I am. I am here only to point out that the subject deserves serious consideration.

Indeed one section of the act has already been declared unconstitutional by the U.S. Court of Claims. In the case of *Steinberg* v. *United States*, decided last July, the Court of Claims struck down the provision of the law denying retirement benefits to persons who refuse to testify on the ground of self-incrimination before a congressional committee, a Federal court, or a Federal grand jury. This provision, the Court declared, circumvents the fifth amendment guarantee against compulsory self-incrimination and indiscriminately links the innocent with the guilty.

To be sure, in the Steinberg case the Court was dealing with what is probably the most vulnerable section of Public Law 769, which does not even require a conviction but makes the simple exercise of a constitutional right grounds for withholding retirement benefits. It does point up, however, that the entire law was passed and adopted without careful scrutiny. Otherwise such an obviously invalid provision would not have been included in it. It also, I am afraid, portends the fate of other provisions of the act.

Those persons who were convicted of crimes before Public Law 769 was passed, but who will lose benefits if its provisions are carried out will attack it as ex post facto. The man whose name was made a part of its legislative history may well challenge it on the grounds that it is a classic bill of attainder.

Others may maintain that they are being deprived of vested property rights without due process of law. They will point to the concurring decision of Judge Whitaker in the Steinberg case and the recent decision of Judge Tamm, of the District Court of the District of Columbia, in the Nester case which involved social security benefits. If there ever was a piece of legislation which was destined for rough sledding in the courts, this is it.

The judiciary, of late, has often been charged with usurping some of our legislative functions. But what about the other side of the coin? Isn't it about time we admitted to ourselves that perhaps in passing Public Law 769 we were trying to exercise some judicial functions.

I think that Public Law 769 was a mistake—well intended, it may be true—but still a mistake. I sincerely hope this committee will take early action on my bill, H.R. 578, which would strike this provision from the statute books.

Whose Farm Program?

EXTENSION OF REMARKS
OF
HON. DONALD F. McGINLEY
OF NEBRASKA
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 12, 1959

Mr. McGINLEY. Mr. Speaker, I would like to bring to the attention of my colleagues a chronology of some statements made by the Secretary of Agriculture during the past 5 months. I will leave it to my colleagues to determine what the administration's position is on the farm program now in effect.

Washington Post, February 25, 1959—Joseph Alsop column:

Secretary Benson is ripe for the operating table because his farm program has finally got absolutely out of hand.

Letter to the editor of the Washington Post, March 11, 1959, by Secretary of Agriculture Ezra Taft Benson:

The farm program now in effect is not that of this Secretary of Agriculture. The Benson program has never been allowed to go into effect.

Omaha World Herald, October 9, 1958—interview with Secretary Benson at Nebraska City, Nebr., when the Secretary visited Nebraska on a campaign junket:

Mr. Benson said that his farm program has been in effect only since the fall of 1955 and that there had been a steady improvement in conditions since then.

Associated Press story of Secretary of Agriculture Benson's address to a luncheon of the National Affairs Forum sponsored by the Pittsburgh Chamber of Commerce which appeared in the Lincoln Journal October 8, 1958:

Secretary of Agriculture Benson says the American farmer "never had it so good."

H.R. 105 Endorsed by International Rescue and First Aid Association, Inc.

EXTENSION OF REMARKS
OF
HON. W. PAT JENNINGS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 12, 1959

Mr. JENNINGS. Mr. Speaker, on the opening day of the 86th Congress I introduced H.R. 105 in the House. This bill is similar to a measure that I sponsored in the last Congress—H.R. 242—and would make volunteer fire departments and rescue squads eligible for donable surplus Federal property.

In the second session of the last Congress we approved a bill pertaining only to volunteer fire departments. However, this bill was not passed in the Senate prior to adjournment.

It is my sincere belief that both volunteer fire departments and rescue squads should be eligible for the surplus property that might be donated for their use. Each of these organizations performs a very vital public service

A few days ago the board of directors and executive committee of the International Rescue and First Aid Association—IRFAA—met in nearby Alexandria, Va. The members of this group went on record as endorsing and urging passage of my bill, H.R. 105.

During the IRFAA's convention last November, the membership reaffirmed the association's position as set forth in a resolution adopted at the 1956 convention. I include this 1956 resolution in these remarks for the benefit of my colleagues who have sponsored legislation similar to H.R. 105.

The resolution follows:

Whereas in recent years our great Nation has suffered enormously from the destructive forces of nature by virtue of hurricanes, floods, and tornadoes, which caused great tolls in loss of life and injury to thousands of our citizens as well as being most destructive to commercial establishments and residential structures; and

Whereas these catastrophies must be met by the immediate organization of disaster squads, equipped with articles from Federal surplus stockpiles, which would greatly enhance rescue, first aid and transportations so vital at said disaster areas; and

Whereas disaster squads should be organized, equipped and trained within the organizational planning of Armed Forces Reserve training centers, stations, and armories, Civil Defense, Civil Air Patrol, and organized civilian rescue-first aid squads; and

Whereas the release of said surplus Federal equipment would also enhance routine localized functions on a year-round basis and thereby greatly reduce death and injury tolls from the presently high rates; and

Whereas human misery could be relieved and alleviation of unwarranted delays could be achieved by trained and well-equipped squads which would provide the best in rescue, first aid, and transportation; and

Whereas within the past 2 years the eastern seaboard and the New England States have suffered high tolls in loss of life and billions in property losses, causing peril to our national security and public safety: Now, therefore, be it

Resolved, That this resolution be unanimously passed in concurrence and proper Federal authorities be notified.

This resolution outlines succinctly the need for this legislation; its statements are also applicable to the volunteer fire departments of the Nation.

Because of the important role IRFAA plays in community service in the Nation, I outline herewith the organization's purposes and objectives:

THIS IS THE IRFAA

The International Rescue and First Aid Association is an association of organized volunteer, paid, and industrial rescue squads, ambulance and first-aid crews, fire departments, and other comparable units equipped with all types of rescue and first aid apparatus and devices which can be carried in mobile units, either by vehicular, water, or air transport; county, State, and other associations; and individuals, both men and women, active or interested in the rescue and first aid movement.

The IRFAA membership thus is composed of individuals, organized units, and associations, and associate members in the United States, Canada, and other countries. This association was organized in 1948 at the first annual convention in Atlantic City, N.J. The IRFAA is incorporated under the code of the Commonwealth of Virginia as a voluntary nonprofit organization.

OBJECTIVES OF THE IRFAA

First. To promote the ideas of organized rescue and first aid work throughout the world;

Second. To promote and assist in the establishment and training of rescue and first aid organizations;

Third. To cooperate to the fullest possible extent with other organizations whose objectives are accident prevention, safety education, rescue and first aid work;

Fourth. To cooperate in, foster, and conduct research designed to advance the science and art of rescue and first aid work, and to encourage the desirable standardization of practice and equipment;

Fifth. To establish a system of mutual assistance both within the association and with other organizations to be used in the event of large-scale disaster;

Sixth. To develop and maintain a code of high ethical standards among rescue and first aid personnel;

Seventh. To promote the general good and welfare of the members of the association;

Eighth. To aid in bringing about and maintaining world harmony by developing a spirit of kinship among the people who are devoted to the cause of saving life and aiding the sick and injured;

Ninth. To bring together in a common association all organizations and individuals interested in the aforementioned objective.

ACTIVITIES

All activities of this association are designed and carried out to accomplish and forward the aforementioned activities. All elected and appointed officers are volunteers in their work in and for the association except the executive director who is employed to conduct the operations of the executive office and to serve as editor of the association's official magazine, the International Rescuer.

This association encourages plans of cooperative action and mutual assistance among its members; and on local, county, State, provincial, and other levels but it does not itself become operational in any emergency or disaster situation whether it be of a local, State, National, or international character. It does not order, dispatch, or request any member unit to go to the scene of any emergency or disaster of any type. Any unit, individual, or organization does not lose any autonomy or freedom of action through membership in this association.

Mr. Speaker, when surplus Federal property is available for donation purposes, it should be placed in the hands of those organizations performing a public service. The volunteer rescue squads and volunteer fire departments of America certainly meet this test.

The chairman of the Donable Property Subcommittee had advised me that when departmental reports are received on the pending bills that consideration will be given to hearings.

It is my hope that we can complete action on H.R. 105 in this session of Congress and make these organizations eligible to receive donable property.

Centennial Celebration of the Heffley & Browne Secretarial School

EXTENSION OF REMARKS
OF
HON. FRANCIS E. DORN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 12, 1959

Mr. DORN of New York. Mr. Speaker, under leave to extend my remarks in the RECORD, I should like to pay honor to Heffley & Browne Secretarial School of Brooklyn, N.Y., on the occasion of its centennial celebration. Brooklyn is proud and fortunate to have had the hundred-year influence on its youth of this school. It is vitally important that capable, modern and scientifically designed instruction in present day office procedures be given to our young men and women. Heffley & Browne have kept abreast of the times. The student body, alumni, and faculty are to be congratulated.

This is the year which marks the centennial of the Heffley & Browne Secretarial School, founded in 1859, and the oldest school of its kind in the East. It has graduated over 100,000 students, many of whom now serve in positions of responsibility and distinction in the Nation.

We in Brooklyn are glad to call attention to Heffley & Browne's record of achievement as a pioneer in commercial education, in training personnel to fill important positions in the business world, and as Brooklyn's only accredited, registered secretarial school.

The success of the school is due in large measure to the demonstrated ability of the many young men and

women who have emerged from our classrooms into the business world. We take pride in their accomplishments and feel deeply appreciative of the renown and distinction which these graduates, now in government, industry and the professions constantly, through their ability and outstanding service, are bringing to this institution.

Congratulations to St. Catherine's High School Basketball Team of Racine, Wis., Champions of Wisconsin State Catholic Conference

EXTENSION OF REMARKS
OF
HON. GERALD T. FLYNN
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mr. FLYNN. Mr. Speaker, it is with a deep sense of satisfaction that I rise to inform this august body of the fact that my high school alma mater, St. Catherine's, of Racine, Wis., has again in 1959 as in 1958 won the State basketball championship in the Catholic Conference of Wisconsin. This team, under the skilled leadership of Coach John McGuire and the tutelage of a most personable athletic director, to wit: the Reverend Cletus V. Uhen, has amassed the outstanding record of 26 wins and 3 losses for the 1958 to 1959 season and 51 won and 5 lost in the last 2 years. I might state that St. Catherine's High School in Racine, Wis., is one of the finest secondary scholastic institutions in the State, that a large building project recently completed has tripled its student capacity but that, with these enlarged facilities, the recognition of its valuable effect on the community and the good work of its Dominican Sisters who comprise its teaching staff and the hard work of its president, Rev. S. B. Whitkowiak, is such that its expanded facilities are already overcrowded to a point where the school is teaching on a two-platoon basis. The school is outstanding for its part in the development of a Christian attitude and a good moral character among the students in addition to its scholastic training.

High on the agenda of the school activities, however, is its athletic program. It has repeatedly won the State championship in both football and basketball. It is also active in track and other sports.

The basketball team has been invited by Georgetown University to participate in the first national Catholic basketball conference to be held here in Washington, D.C., on Friday, Saturday, and Sunday of this week, to wit: March 13, 14, and 15, 1959. The members of the St. Catherine team are: Jim May, Jim Poulsen, Joe Gammell, Jim Olley, Tom Schilke, Chuck Wood, Bob Letsch, Don Tempesta, Rocke Calvelli, and Todd Pettit.

I predict that this fine group of midwesterners will leave Washington on Sunday next with the national Catholic basketball crown tucked securely in their suitcase and I issue to all of you who enjoy watching basketball, played by artists in their field, to join me at Georgetown University Gymnasium in watching the Catholic invitational basketball tournament during this coming weekend.

TVA Generator Award

EXTENSION OF REMARKS
OF
HON. PHILIP J. PHILBIN
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mr. PHILBIN. Mr. Speaker, when the award was announced, I strongly protested to the President and Mr. Herbert D. Vogel, head of TVA, to withdraw the recent order for a 500,000-kilowatt turbogenerator for the Tennessee Valley Authority awarded to a British concern. The contract price was some $13 million.

There are concerns in my district and State which employ our fellow citizens and taxpayers with highest capability of performing this large Government contract.

It is neither just nor wise to displace American labor and penalize American business by giving out contracts to foreign competitors which result in depriving American industries of business and taking bread out of the mouths of American working people.

Most of us are willing to help our allies of the free world as much as we reasonably can. In the past 18 years, we have spent well over $100 billion for this purpose overseas.

In addition, we have allowed a flood of competitive goods to come into the United States to undermine standards of employment and industrial vitality.

This law is threatening to infect our whole economic structure. Industry after industry is being hit.

The practice of purchasing overseas government procurement items that can be purchased in this country, cannot be justified. Whether it technically complies with the Buy American Act or not, it is to say the least, ill-advised, unsound economic policy.

In any event I believe that this turbine-generator bid should be rejected and the order canceled and readvertised so that American industry can qualify to get the work.

The Buy American Act formerly was interpreted to prohibit purchases overseas when the price range was within 25 percent. In my opinion, 25 percent is not enough in most cases to reflect the wide wage differentials between foreign and domestic labor let alone other cost factors.

Moreover, the Government has by administrative ruling, reduced the former 25 percent differential requirements to about 6 percent, and that literally opens the floodgates that could well permit foreign bidders to have a picnic at the expense of American producers and workers in the American market.

I also question heavy overseas purchases by the Armed Forces.

The offshore procurement policy, so-called, is another example in the assortment of huge financial subsidies we are heaping upon foreign nations at the expense of our own economic machine.

There are instances where it is feasible to purchase certain goods in foreign aid and military aid programs, but there are also instances where it is an extremely unsound, costly practice. The most recent instance of this practice was the purchase by the U.S. Navy of 7,000 tons of steel from Japan.

Mr. Speaker, I am preparing legislation to amend the Buy American Act, calling for the study and adoption of sound methods to bar large overseas purchases harmful to American industry where monopolistic or excessive costs are not in question.

Obviously Congress must protect the Government as well as the consumer against monopolistic or unfair trade practices.

The shortsightedness of the purchase is shown by the fact that servicing and repairing of this TVA foreign-made equipment estimated over a period of years will unquestionably raise the original purchase price very considerably above the bid price. If this additional cost were taken into account, it would prohibit the purchase under any fair interpretation of the Buy American Act, because it would bring the price within a prohibitory range.

The situation is the more indefensible because of the status of TVA, a taxpayer-supported public utility, grossly competitive with private enterprise utilities, having the temerity as a recipient of huge Government largesse, to award a contract to a foreign company and leave American workers in the lurch.

There is also a very serious security aspect to the award. What will the situation of TVA be in the event of war or emergency should this electricity-producing equipment break down and require parts replaced or technical aid from overseas?

I am astonished that any responsible Government agency would be willing to put its seal of approval on a deal so unfair to American industry and its employees.

H.R. 5633—To Amend the District of Columbia Code With Reference to Income Taxes

EXTENSION OF REMARKS
OF
HON. ABRAHAM J. MULTER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mr. MULTER. Mr. Speaker, I have today introduced H.R. 5633 to amend the District of Columbia Code with reference to income taxes.

I am hopeful that by the enactment of this bill we will give to residents of the

District of Columbia the same privileges as granted to all citizens in connection with the filing of their income tax returns with the United States. It is intended to equalize those exemptions and benefits.

At the same time it should put residents of the District of Columbia at least on an equal basis with residents in Maryland and Virginia in that connection.

The benefits will inure principally to our aged citizens 65 years of age and older and those who are called upon to pay large medical, dental, and hospital expenses.

Secretary Benson Dissents

EXTENSION OF REMARKS
OF
HON. HAMER H. BUDGE
OF IDAHO
IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mr. BUDGE. Mr. Speaker, under leave to extend my remarks in the RECORD, I am pleased to include an interesting letter written by the Secretary of Agriculture, Ezra Taft Benson, in reply to one of Joseph Alsop's columns. The letter which was printed in the March 11, 1959, issue of the Washington Post and Times Herald newspaper follows:

SECRETARY BENSON DISSENTS

My attention has been called to the February 25 column, "Operating on Ezra," by Joseph Alsop.

Mr. Alsop's article is based on the premise that the farm program operating today is my program. The farm program now in effect is not that of this Secretary of Agriculture. The Benson program has never been allowed to go into effect.

Today's program is a holdover from a Democrat administration, modified grudgingly to the limited degree to which Congress has been willing to grant our requests for changes. If it were my program we would not be asking Congress to make the far-reaching changes contained in the President's recent farm message to the Congress.

It is true that the Government will have $9 billion invested in price-support commodities (as of July 1, 1959) and that it will cost over $1 billion a year for storage, interest, and transportation on these stocks. However, these stocks consist mainly of wheat, corn, and cotton accumulated under programs we inherited and have tried to change with but little success.

The President has pointed out these facts. The Secretary of Agriculture has called attention to these facts. These facts are a visible demonstration of the bankruptcy of the old program. We have recommended changes to the Congress.

Mr. Alsop says a proposed production payment plan will cost "half the cost of subsidies requested by Benson." Our figures based on studies by career economists show the Talmadge-Brannan payment program will cost annually about $5.4 billion, for payments for the basic commodities alone. In addition we would still have the present tremendous stocks and attendant costs, the special surplus disposal programs and the soil bank, etc.

Mr. Alsop cites a $2 billion figure for the Brannan proposals. This is the first time that I've seen this figure. It is fallacious.

Congress refused to adopt this program when submitted by my predecessor, Secretary Brannan. It would have these undesirable effects:

1. Require drastic controls of production to keep costs within reason.
2. Will limit opportunity of new farmers to enter into the production of these crops.
3. Unless extended to livestock (which would boost the cost to even higher levels) could create extremely serious problems for livestock producers.
4. Will lead to international repercussions because U.S. surpluses would be dumped on world markets.
5. Would make farmers even more dependent than now on Government appropriations for farm income (quite obviously this payment approach would be a step away from our efforts to balance the budget).

We want a farm program which will give farmers a satisfactory level and stability of income consistent with a balanced and expanding consumption of agricultural commodities here and abroad and the most rational use of resources. Our alternative suggestions to achieve this goal already have been submitted to Congress. The type of farm program we will have in the future will depend upon the action Congress takes.

Unless Congress makes changes in the present unworkable and unrealistic farm program, we are bound to have costs in the future of the size Mr. Alsop cites regardless of who is Secretary of Agriculture.

EZRA TAFT BENSON,
Secretary of Agriculture.

WASHINGTON.

Distribution of Obscene Literature Through the Mails

EXTENSION OF REMARKS
OF
HON. KATHRYN E. GRANAHAN
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mrs. GRANAHAN. Mr. Speaker, it is indeed a sad commentary on our sense of values when we cannot distinguish between objects of art which are a matter of national pride and the use of such objects as lures to the theater box office.

There is a great deal of difference between the student of anatomy at a great university who is engaged in its study for the sake of humanity and the student of anatomy in the front row of a burlesque theater. It is high time that something is done to zero-in our thinking on this important moral issue.

The American public—American fathers and mothers—have a right to resent the use of themselves and their families as a captive audience to be bombarded through the avenues of the U.S. postal service by material to which they object plainly calculated to undo years of training they have devoted to their children.

Mr. Speaker, as the House has directed our committee to look into the use of the mails to send obscene literature, I wish to announce that the Postal Operations Subcommittee, of which I am chairman, intends to take immediate action to thoroughly explore the situation as it now exists. We are watching with interest the present efforts of the Postmaster General to protect the rights of patrons of the postal service. We hope that his arm is strong enough to properly enforce what we believe to be the wishes of the public. If not, we intend to develop and recommend legislation which will give him the necessary tools.

It is unfortunate that the American theater should line itself up in this situation with those who seek to corrupt the morals of our country by sending obscene material through the U.S. mails. Obviously, the attempt to send through the mails the advertisement of the now notorious stamp portraying a nude painting was not intended to raise the dignity of the stamp or the painting. It was intended solely for the profit of the owners of the film.

The Mikoyan Salesmanship

EXTENSION OF REMARKS
OF
HON. HUBERT H. HUMPHREY
OF MINNESOTA
IN THE SENATE OF THE UNITED STATES

Thursday, March 12, 1959

Mr. HUMPHREY. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD two articles dealing with Deputy Premier Mikoyan's visit to the United States.

The first article by Harrison E. Salisbury was published in the New York Times of January 11, 1959, and is entitled "Mikoyan's Success."

The second article is one which I prepared for the North American Newspaper Alliance.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the New York Times, Jan. 11, 1959]

MIKOYAN'S SUCCESS—SOVIET VISITOR MAKES DEEPENING IMPACT DESPITE WASHINGTON'S HANDS-OFF ATTITUDE

(By Harrison E. Salisbury)

SAN FRANCISCO, January 10.—Anastas I. Mikoyan brought his Soviet good will mission to the Pacific coast today. There were signs in each city that the First Deputy Premier has visited of a deepening impact resulting from his blunt words, crackling wit, and unfailing good humor. For a man who has spent most of the last 35 years high in the ranks of the Kremlin leadership, Mr. Mikoyan has displayed outstanding gifts of public relations. He has campaigned in Cleveland, Detroit, Chicago, and now San Francisco with the skill of a veteran of the American political hustings.

In fact, his whirlwind trip has acquired much of the flavor—but few of the amenities—of a national presidential campaign tour. However, Mr. Mikoyan is not running for American political office—not yet, at least.

He is running for peace at every point, in every city, before every kind of audience—before workingmen in the River Rouge powerplant of the Detroit Edison Co., before the bankers of Cleveland, the furniture salesmen of the Chicago Merchandise Mart, the lawyers of the Middle West. To every American he can reach with his message, Mr. Mikoyan is saying: Let's argue, let's dispute, let's compete, but let's not fight.

SEES NO GOLDEN AGE

He is not holding out hope of a golden age in which the capitalist lion and the Communist wolf shall lie down together. But he is saying with every modulation of his quick-witted Armenian temperament that this is one world and that Russians and Americans must live in it together, at least as peacefully as, for instance, General Motors and Ford inhabit the environs of Detroit.

Mr. Mikoyan's speech has not been completely uninhibited. But he has been saying the kind of things that Americans are not used to hearing from Kremlin spokesmen. He is talking in pithy terms of men whose names so long have been headline words in the United States—Lavrenti P. Beria, former police chief; Vyacheslav M. Molotov, former Foreign Minister; Nikolai A. Bulganin, former Premier.

He is talking about these men not in the cliches of Pravda but in salty language of his own. And the American audiences, made up of influential business, industrial, and banking leaders, are reacting positively. Their warmth surprises Mr. Mikoyan and sometimes, it seems, even his listeners as well.

U.S. HANDS-OFF ATTITUDE

No Soviet statesman has ever attempted anything like Mr. Mikoyan's campaign before. In fact, few foreign leaders of any country have taken to the road in the United States in the manner in which he has done. Few would care to tackle the odds against which Mr. Mikoyan has been working thus far with startling success.

The way in which Mr. Mikoyan's campaign has developed has brought into critical focus State Department policy with respect to the Soviet visit. The State Department has maintained an official hands-off attitude, taking the line that Mr. Mikoyan is here on a private visit that must not be dignified by official arrangements.

It has accepted minimum security responsibility for Mr. Mikoyan's movements, but nothing more. It has done nothing to facilitate his visits to United States cities. It has provided no official host of liaison for his party. It has refused to offer advice to local officials as to how Mr. Mikoyan should be treated, whom he should see or what he should be shown.

Under the circumstances, the White House statement expressing hope that Mr. Mikoyan would be afforded every opportunity to see American life at its best has a somewhat dubious ring to correspondents who have observed the Mikoyan visit.

The fact is that Mr. Mikoyan is seeing a good deal of the United States and is making a decided impact on many leading Americans. But he is doing this in spite of the State Department.

The impression given to Mr. Mikoyan is that there is a deep split between official Washington, on the one hand, with its narrow definition of protocol and deep-freeze approach, and the attitude of powerful business interests of the country. In contrast to the Government, big business has acted with traditional warmth.

It would appear that the State Department once again was caught off balance by Soviet initiative. It seems probable that Washington, despite repeated advice from Llewellyn E. Thompson, Jr., Ambassador to Moscow, underestimated the force and vigor of Mr. Mikoyan's personality and the energy that he would dedicate to the cause of convincing Americans that it is time to end cold war.

The seeming discourtesy of the State Department, the constant harassment by Hungarian pickets and the erratic arrangements of the local police, who in Chicago spent more time fighting newsmen than holding back demonstrators, have produced a barrage of negative publicity for the United States in Europe.

Mr. Mikoyan's trip is being covered in minute detail by a corps of foreign correspondents. Many of their dispatches have been couched in acid terms as far as official America is concerned. And Mr. Mikoyan is getting the highest marks for ability to maintain equilibrium under trying circumstances.

Mr. Mikoyan's talks have not been a mere collection of platitudes about good relations. He has been advancing a consistent line for United States-Soviet relations. This is simply: Let us stop arguing about the past and concentrate on negotiating our way out of present difficulties.

Mr. Mikoyan insists that the Soviet position on Berlin will not be changed. But at the same time he has given repeated and clear hints that, like all Soviet positions, this is in fact negotiable.

With regard to United States-Soviet relations in the United Nations, he has said:

Let us stop making the United Nations a propaganda forum. There is no useful purpose served in rolling up majority votes against the Soviet Union. This settles nothing.

Instead let us negotiate. Let us seek to reach agreements. If we cannot get an agreement, let the question lie over for 6 months or a year while the diplomats work at it. Perhaps after a year they will come up with a solution. Meanwhile, do not bring the issue up for a vote, which may go against the Soviet Union but certainly will not solve the issue.

MIKOYAN'S VISIT SPELLS FURTHER SOVIET SALESMANSHIP ON TRADE AND BERLIN, SENATOR HUMPHREY STATES

Anastas Mikoyan's tour of the United States added up to—

1. A new chapter of Soviet supersalesmanship to win the American "market" of public opinion.

2. A signal of additional Soviet overtures to come so as to break the diplomatic impasse over Berlin.

In appraising the coast-to-coast Mikoyan tour, too many people jump to one or the other conflicting conclusions to the effect that the overall result was a success or a failure, that it changed nothing, or changed a great deal.

Actually, Soviet diplomacy is relentless and is based on the most intricate long-range planning. It rarely consists of "one-shot" trys. Successful or not, each step fits into an unending pattern of probe and thrust. That means, constantly feeling for weak spots and then exploiting every point which may yield to pressure.

Throughout his travel, the shrewd First Deputy Premier evaded, in effect, all the embarrassing $64,000 questions, such as the martyrdom of enslaved Hungary and what if anything he would concede as being wrong today in Russia. Instead, he seized the offensive and boldly sought to appeal over the heads of U.S. officials. His aim was a psychological breakthrough, especially on the trade, Berlin, and other key fronts.

How successful his effort was, only the future can really confirm or deny. But these facts seem evident:

(a) Mikoyan's deft public relations, his "soft sell" salesmanship did pay off in favorable reaction in some quarters. The fact which is obvious, now even to the Soviets, is that their traditional "hard sell"—bluster and threats—wins few, if any, friends or converts here. But some Americans do react to Soviet "soft sell."

(b) The Soviets may now be expected to offer a new alternative formula looking toward disengagement in central Europe. Mikoyan's comments at the luncheon of the Senate Committee on Foreign Relations indicated that the road to any agreement on troop rollback from the Elbe is still a hard one, but that it is nonetheless a possibility which the Soviets are seriously offering.

(c) Mikoyan did bring home at least part of the bacon for the 21st Congress of the Communist Party of the Soviet Union, which opens next Tuesday. Khrushchev, in dispatching Mikoyan here was, I believe, determined to be able to report thereby to the assembled comrades that Khrushchev and company are making some progress toward settlement of the serious Berlin crisis. I am convinced Mr. Khrushchev is extremely concerned as the May 27 "ultimatum—which was not an ultimatum" approaches for Allied forces to get out of Berlin. The Soviet Premier knows that the Allies remain united in rejecting the ultimatum, and he has somehow to get off the hook of his own making.

(d) Mikoyan did, I believe, considerably jolt American opinion in high circles. He forced the State Department to think through whether our old, tired formula of weak counterpunching to the flurry of Soviet cold war proposals will suffice. The vigorous, imaginative Soviet diplomacy such as Mikoyan represented can hardly be contested effectively except through far greater vim, imaginativeness, and initiative on our own part. But these are qualities which have often been conspicuous by their absence in recent U.S. diplomacy.

(e) Mikoyan has impelled American opinion and the American Government to answer the question of, "What, indeed, is our policy toward expansion of U.S.-U.S.S.R. trade?" To date, our attitude toward such enlarged trade has been neither "fish nor fowl."

We had better make up our minds whether (a) we, in effect, regard all such trade as needlessly strengthening world communism, or (b) whether we feel there should be such expanded trade aside, of course, from materials usable in military weapons.

We cannot underestimate how zealous the Soviets are to trade in heavy items, especially those like petrochemical equipment and pipelines, which are crucial to the success of their ambitious 1958–65 7-year plan.

This was an impression which I gained in my December 1 talks in Moscow with Khrushchev, Mikoyan, and with Trade Expert Kuzmin, whom Khrushchev had specifically suggested I see. Khrushchev went all out for trade. "We desire mutually beneficial trade, not gifts," he told me. "We trade with 70 countries. Our firm is a good one."

The Premier, however, did not hesitate to add that if we refused to sell various needed items Russia would produce them, anyway. "By refusing to sell items to us you do not prevent us from producing them; you simply cause a delay which we overcome because we are forced to rely on our own resources," he told me.

In any event, a priceless opportunity was, in my judgment, lost when Mikoyan visited the U.S. Commerce Department. There, we could have offered him before the eyes of the world a long list of consumer items which the Soviet people do desperately want (in contrast to the heavy industry goods) which alone interest the Kremlin.

It was Berlin, however, which was on Mikoyan's mind most of all.

Russia had confidently expected that her 6-month ultimatum would precipitate fissures and pressures inside Allied ranks, but Big Four unity has held firm. Instead, there is evidence to believe that the threat of a May 27 deadline has, like previous Soviet saber rattling, actually caused alarm within the Soviet hierarchy itself. Among all governing people, the crafty leaders of the presidium are, perhaps, least of all willing to permit Khrushchev and company to risk an all-out war over Berlin or on any other local issue, however important.

Inevitably, the Soviet Premier has been getting more and more impatient for a Berlin settlement. "What are your counter-

proposals on Berlin?" Khrushchev had asked me, just as Mikoyan kept probing for some new formula and U.S. concession.

All in all, the Soviets feel that if the Mikoyan visit did set the stage for a U.S.-U.S.S.R. agreement on Berlin, it might establish a basis for further globe-changing decisions. These might bilaterally alter the map of spheres of influence. The implication here is: Let's you (the U.S.) and us (the U.S.S.R.) talk; just ourselves; no one else. This is a theme which I had heard repeatedly, in effect, from the Soviet Premier. But we are not buying it. The United States has no intention of violating genuine partnership with its allies by unilateral decisions without their consent.

For resolving world policy problems, Premier Khrushchev apparently divides people and nations into two categories: those with supreme power, or access to it, and those who lack such supreme power or access. He is interested basically in deals only with the powerful. He has no time for anyone else. "We're competing only against you, the United States," he told me. This was in the context of his pointing out a contrast between the Soviet Union and Red China. Here, he was referring to the latter's assertion that in 15 years, Peiping would surpass the steel production of the United Kingdom. To surpass Britain might be considered a feat for the Chinese Reds, but to the Soviets, there is only one big league team worth competing against, and that is the United States.

The "world series," so to speak, is the contest for the entire globe. It is a contest which the Kremlin would like to win peacefully through what I described to Khrushchev as its Operation Nibble. Khrushchev chuckled at the characterization, but did not refute it.

Peace was his refrain, just as it was Mikoyan's.

MIR—peace—is constantly on Khrushchev's and Mikoyan's lips, just as it was on the lips of Russians in all walks of life whom I encountered during my week in Russia.

Khrushchev knows what world war III would mean, for during our discussion, he indicated in turning to a large polar map, a virtual East-West inventory of possible U.S. and Soviet thermonuclear targets.

But talk of the possibility of war is never too far from the lips of the Soviet hierarchy. It is determined to impress us with the fact that it is not panic stricken by the thought of conflict. Khrushchev, for example, told me, bluntly it will be war "if you attack the forces of the German Democratic Republic. We will not permit the liquidation of a Socialist state."

I do not doubt that Khrushchev feels that his whole house of cards in Eastern Europe might indeed collapse if the very survival of the misnamed East German "State" were endangered. And that is one reason why he is determined to get the "Berlin bone" out of his "throat." For Free Berlin, apparently, does represent a critical threat to the puppet regime of Walter Ulbricht. The astonishing 10-year total of 3,500,000 refugees who had previously fled from East Germany through the Free Berlin escape hatch is supplemented each month by an additional 20,000 refugees. How long, many observers have wondered, can a state like East Germany continue to hemorrhage in this fashion, losing its lifeblood—its people, particularly its top specialists like doctors and engineers?

Naturally, Khrushchev in his talk with me did not acknowledge that this embarrassing dilemma is the crucial reason for the Soviet's wanting so-called internationalization of West Berlin. Instead, Khrushchev pointed his fire at Allied occupation troops there, pretending that their presence constitutes a danger of aggression.

This camouflage of real reasons is characteristic of Soviet doubletalk and feint. Disguise, together with attempted outwitting—these are Soviet stock in trade.

It was not without significance that Khruschev recalled another memory from experiences at the key city of Kharkov during World War II. He mentioned how, anticipating the German onslaught toward that vital objective, the Red army had laboriously built up extensive lines of defense. But a tour de force in Nazi strategy completely outflanked the defenses.

Khrushchev has not forgotten that and a lot of other tricky lessons.

"We will outflank your NATO—it is obsolete," he told me. "We will surpass you economically." And I believe that he is determined to do exactly that, particularly in the area of the world which has far too little concerned us—the emerging areas of Asia, Africa, and the Middle East.

Yet NATO is not obsolete if it can be transformed from a straight military alliance to a fountainhead of free world economic, political and social strength. Therein is a key to U.S. success in competitive coexistence.

Administration's Failure To Promote Industrial Uses of Farm Products

EXTENSION OF REMARKS

OF

HON. DONALD F. McGINLEY

OF NEBRASKA

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mr. McGINLEY. Mr. Speaker, city dwellers often ask midwesterners why we disagree so firmly with the administration's policies on the farm program. And sometimes we wonder if, indeed, we are unfair.

But then other facts come to light which confirms our basic position that the administration should be working to improve the plight of agriculture which is one of the basic industries of the Nation.

A story told to me privately by J. Leroy Welsh and later told to a House Agriculture Subcommittee recently which was studying industrial uses of agriculture products further reaffirms our suspicion of the administration.

Welsh, of Omaha, is well known for his efforts as Chairman of President Eisenhower's Bipartisan Commission To Study Utilization of Farm Products for Industrial Purposes.

He said that he and other members of the Commission visited the Federal research laboratory in Peoria, Ill., that has been working for years in this field of agricultural products.

VISIT LABORATORY

While there, Welsh and others were told that 100 million bushels of corn could be utilized annually in the manufacture of paper if one problem could be solved.

By adding 5 percent starch to woodpulp in paper manufacturing, a better quality paper could be produced. It would be economically feasible since the cost of the starch would be competitive in price to that proportion of woodpulp it replaced.

This use of starch has been tried, but it developed that something in the starch caused it to become brittle and caused brown spots to appear on the paper after a time.

This was the problem.

Welsh asked the Peoria people if that could be solved. After some discussion, the Peoria people agreed that by intensifying their effort on the project it could certainly be done within 2 years—maybe 2 months. Two million dollars would be the most it would require to do the job.

ACTION PLANNED

Welsh went to the Secretary of Agriculture and other members of his staff and related the story. It was agreed that it was a wonderful plan. The $2 million could come from the money Congress made available to the Secretary for just such projects.

A man was named in that meeting as the person who would have the responsibility of working out the starch research project.

Welsh in visiting with the Secretary 7½ months later found that nothing had been done.

When Welsh testified this past week to the Agriculture Subcommittee, he reported that it was now a year and a half from that meeting in which the project was set to go. As far as he knows nothing has yet been done.

The Secretary of Agriculture has a fund now of $300 million which comes from import duties earmarked by the Congress for use in financing a program for industrial use of agriculture projects. The Congress has authorized an additional $500 million for the same purpose.

And yet the Secretary insists that the new agency that is being considered in legislation pending before the Congress should be under the Department of Agriculture.

WHAT MOTIVE?

It is difficult to determine the administration's motives. It also raises the question if the administration provides the incentive needed to carry out this program which would be a boon to agriculture and reduce the ever-increasing burden on the taxpayer.

It has all the authority and all the money needed to have initiated a program within the framework of the Department of Agriculture.

However, I submit that the Department officials indicate that they do not realize that our present need is to push wholeheartedly for programs in utilization research, instead of continued attention to means of increasing production.

Hon. John V. Lindsay on the Passport Question

EXTENSION OF REMARKS

OF

HON. STUYVESANT WAINWRIGHT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mr. WAINWRIGHT. Mr. Speaker, the Republican Party from time to time produces a young, adventurous crusader

who can be likened to the bright star of the future. The new Representative from New York's 17th District, JOHN V. LINDSAY, falls squarely into this category. Typical of his courageous, forthright and intelligent appraisal is a recent address he delivered in New York on the passport question. While not in complete sympathy with Mr. LINDSAY I feel that his approach deserves public hearing and should be set forth in the RECORD.

The address follows:

One of the most important subjects of legislative concern to the 85th Congress, and I suspect it will be to the 86th, is passport legislation. It is important because it involves the question of a citizen's right to travel—not only the question of whether there is such a right, but its metes and bounds. These questions have been cast into special prominence by the Kent, Briehl, and Dayton cases, decided by the Supreme Court of the United States in June of 1958. The Court did not decide these cases on constitutional grounds. It held only that Congress had not given the Secretary of State authority to withhold passports from citizens because of their beliefs or associations. This put it up to Congress. What kind of legislation do we want, if any? What kind of balance should we strike between competing interests?

When the Supreme Court said that the Congress had not given the Secretary of State authority to do what he was trying to do in these cases, it said a mouthful. The word "authority" is a big word. And when one is talking about the sovereign and its powers, the word "authority" means different things under different circumstances. What does it mean here?

We start with a pretty broad hint from the Supreme Court. The Court said this: "We deal here with a constitutional right of the citizen, a right which we assume the Congress will be faithful to respect." And this: "The right to travel is part of the liberty of which a citizen cannot be deprived without the due process of law of the fifth amendment." Now this may give us the dimensions of the ball park but it doesn't tell us much about the ground rules of the game.

In July 1958, the President and Secretary of State sent to the Congress proposed passport legislation with accompanying messages. The legislation was introduced and received considerable bipartisan backing, but not enough to get it through. It has been reintroduced in the 86th Congress, although to date there has been no comment from either the White House or the State Department. The proposal spells out the authority that the Secretary of State would have in respect of the issuance of passports. The chief difficulty I have with it lies in two short provisions.

One gives the Secretary authority to withhold passports from citizens where it is "determined upon substantial grounds that their activities or presence abroad or their possession of a passport would * * * (ii) seriously impair the conduct of the foreign relations of the United States, or (iii) be inimical to the security of the United States." The other would permit the Passport Hearing Board of the Department of State, in determining an application for a passport, to consider nonrecord (undisclosed) information. The Board would be required to furnish a résumé of the confidential information to the applicant and certify that it is a fair résumé. The findings, conclusions and recommendations of the Board would be transmitted to the Secretary of State, who would make a final determination. The Secretary, if he should deem it in the interest of the national security or the conduct of foreign affairs, also would be empowered to consider nonrecord information, whether or not contained in the résumé. Presumably, under the general rules and regulations of the Department of State, the Secretary is not obliged personally to consider the case but may delegate the authority, including that of resorting to confidential information, to a subordinate officer. There is provision for appeal to the U.S. District Court for the District of Columbia, but the court is not given access to undisclosed information and must accept the résumé provided by the Board. There is no definition of the circumstances under which confidential information may be used, such as on certification by a senior officer of the State Department that its disclosure would expose so-called double or buried agent of tested and known reliability, that the case cannot be decided without the use of such information, and that the decision as to the need for both its use and its secrecy has been made by a top officer of the Department of State. And, as I have stated, the court would not have access to the information. The power thus reserved to the Department is sweeping and final; its exercise is not subject to scrutiny by applicant or judicial tribunal. On what ground, then, does the Department of State predicate its request for such authority?

In an important address last November before the Veterans of Foreign Wars, a State Department spokesman made a strong plea for this proposed legislation. He cited examples where the Department of State had been required, as a result of the Supreme Court decisions, to issue passports to known members of the Communist Party. One of two were admitted members with long histories of attendance at various international Communist meetings and functions. Undoubtedly true, and certainly distressing to us all. But let's take a look at the proposed cure. The spokesman stated that personal communication by travel is the most effective way for any person or group to do business, whether it be the United States Government, United States Steel Co., two individuals trying to make a contract for the sale of paper clips, or members of the international Communist Party. What is needed, therefore, it was argued, is authority in the State Department first, to refuse to issue passports on the broad ground that their issuance would impair the conduct of foreign relations or be inimical to national security, and, second, to act as sole judge, in many cases, of what impairs or what is inimical, because neither the applicant nor a court would be allowed to know what the evidence is. The rationale for this approach is stated as follows: "By so doing we can very seriously hinder the effective operation of the Communist Party both here and abroad by making it difficult for the supporters of that party to depart from the United States." In other words, put a crimp into communication.

Like every American who bears allegiance to this country, I loathe and detest communism. It is not only dangerous, but as a philosophy it is repugnant to a freeman's sense of ordinary decency and fairness. Its trained agents and obedient servants in this country are detestable, mainly because they lie to you and to me in their daily lives. They use us and our institutions while their total allegiance is to a foreign power. They are mere pawns, and their objective is to use us in the same fashion. Undoubtedly, this raises a question of security. Here, then, is a competing interest which may call for some careful, limited restrictions on personal freedoms in certain cases in the interest of safeguarding the whole. But, to quote Justice Frankfurter, "let's not throw out the baby with the bath." The way to fight the disease is not to kill the patient with the cure, but to strengthen the body with the same nourishment that made it strong in the first place—by holding high the torch of liberty and rekindling its fires. Important as the need for vigilance is, let us not be so overcome by fear and mistrust that we lose precious ground gained in the ancient struggle for freedom. It is our duty to etch out legislative standards which, while giving due regard to the dangers of the international Communist conspiracy, preserve and safeguard to each individual his most precious liberties.

What is the right to travel? In my book it is one of the most fundamental liberties that we have. The Supreme Court tells us that it is "part of the 'liberty' protected by the due process clause of the fifth amendment." The Solicitor General of the United States conceded as much in his argument before the Court in Kent and Dayton. But I would suggest also that it is conjoint with, and a part of, the first amendment—freedom of speech and assembly. Of all the freedoms that we have, the one I should most hate to lose is freedom of speech. Speech is communication, and communication this modern day is impossible without locomotion. Speech is meaningless unless thought of in the context of the physical and social aspects of human existence. The social aspect suggests that speech is not effectively exercised when a man talks to himself; speech implies communication. The physical aspect renders communication impossible under some circumstances—or possible only through certain means. The social aspect may in turn attach connotations to the physically possible means, rendering all but one appropriate. The Supreme Court has repeatedly recognized the interaction of these aspects in its interpretation of free speech and has held that denial of the appropriate means of communication may abridge free speech.

The abridgement of free speech is precisely what is sought to be accomplished by this legislation. Let's recognize it for what it is, and then see how far we should or can go. In other words, let's find the balance.

Now let me make it absolutely clear that we are not here talking about anyone who is under indictment for the commission of any crime, or is under restraining order of any kind by any court, or has been stripped of any right or liberty by due process of law. There may well be risks inherent in allowing a member of the Communist Party, or one identified as such by our intelligence units, free exit from our shores to travel abroad. But it is necessary to point out that this is true when Communists travel from Chicago to New York, or from New York to the Bahamas, or from Dallas to Mexico, or from San Francisco to Buenos Aires, or to any other South American country, none of which places requires a passport for exit or entry. It should be pointed out also that under the McCarran-Walter Act we are required to deport alien members of the Communist Party and we go to elaborate efforts to secure their removal after they have been traveling freely in this country for years. Well and good enough. Yet under our passport procedures, until the Supreme Court decided otherwise, we have insisted that it is essential to the national security to keep citizen members of the party confined to our shores. The point is that there could possibly be something wrong with our reasoning; and when we are dealing with limitations on constitutional rights it is important that our reasoning be compelling and logical.

The elimination of passports between this country and Canada, and Central and South America, and all of the contiguous islands is a good thing and is consistent with the several statements that the President has made about the need for facilitating travel. In the last Congress, for example, following an administration request in support of greater ease and freedom of travel, the requirement of fingerprinting was eliminated from the McCarran-Walter Immigration Act for all

transients and temporary visitors. Under modern means of travel and communication, and the expectation of greater miracles to come, the world has shrunk and distances mean nothing. It means little more to fly from New York to Paris or Vienna than it does to fly to San Francisco. Therefore, until passports are abolished under reciprocal arrangements with all countries—a development much to be hoped for—passports remain important.

What, then, is the nature of the passport? Passports have only been fashionable with our Government since World War I. Prior to that time we got along without them mainly becaues they were not a requirement of travel abroad. After World War I the citizen's request for a passport was generally regarded as nothing more than a request for a service from his Government to facilitate his travel in other lands—something which governments have an obligation to do for all citizens.

The right to a passport has always been assumed to be subject to the general war power. Few would argue that in the case of armed hostilities there are not extraordinary powers lodged in the sovereign to place limitations on all of our constitutional liberties, limitations which in the absence of the war power would be unconstitutional. The history of limitations over the right of exit goes back in the common law to the writ ne exeat regno under which the English kings could prohibit a man's departure or recall him if he had gone abroad. It was identified with war and service in the King's armies. In more modern times it became a credential to facilitate travel. But since 1941, the crucial function of the passport in this country has been control over exit. The earlier purpose of the passport—to facilitate travel—is not only subordinate but has in fact become an appendix which we have appropriately gotten rid of in some areas in order to facilitate travel.

Let's go back to the first amendment. Although constitutional sources do not reveal that the first amendment was framed specifically to preserve a right to travel, they do not reveal the contrary. They strongly suggest, at least, that early Americans recognized a freedom to move beyond national frontiers. However uncertain its basis may have been, however unclear its limitations, the English recognized that freedom long before they crossed the Atlantic. The people of the Colonies, moreover, evidently took the freedom for granted: witness the constant movement between Colonies and to the West. That may explain why the freedom was not more clearly recognized in writing. The Declaration of Independence goes no further than to list as a grievance the restrictions which George III placed upon emigration. The Articles of Confederation merely guaranteed free movement between different Colonies, though the Colonies, not yet joined in a more perfect Union, were more like foreign countries to each other than the United States are today. Perhaps the most direct documentary evidence is to be found in the Pennsylvania constitution of 1790 which declared "that emigration from the State shall not be prohibited."

These sources, taken together, and viewed in the light of the ninth amendment, warrant the assumption that omission of the words "right to travel" was not intended to eliminate the right. Nor is the omission inconsistent with a specific intention to include the right in free speech. The Constitution was designed to guide the United States for an indefinite period of time. It would have been impossible to enumerate the variety of ways in which free speech might be abridged—and the framers recognized this in the generality of the first amendment's language.

It is equally fundamental that the liberty guaranteed by the Constitution is not absolute. "Civil liberties," says the Supreme Court, "imply the existence of an organized society maintaining public order without which liberty itself would be lost in the excesses of unrestrained abuses." Freedom to travel, like other liberties, is subject to reasonable regulation and control in the interests of the public welfare. I am not sure that it is possible to draw up absolutely fixed rules which will in advance strike a proper balance which will meet the exigencies of every case, protect the public interest, and yet stay within constitutional limitations. Circumstances and the times vary and due process of law has never been a term of fixed and variable content. But the following general rules I would deem to be guideposts which should guide the Congress in its consideration of this subject:

First. The right to travel—to communicate—is a constitutionally protected right which may not be abrogated by the State except under the general war power, which normally may be invoked only in time of extreme emergency, usually involving armed conflict between nations. The right is a concomitant of, and conjoint with, the first amendment of the Constitution. A denial of a passport, therefore, may result in violations of both the fifth and first amendments.

Second. Neither the right of the citizen to have issued, nor the right of the Secretary of State to deny issuance of, a passport is an absolute right.

Third. A general standard under which the Secretary of State is authorized to deny the issuance of a passport whenever he finds that its issuance would seriously impair the conduct of foreign relations or be inimical to the national security of the United States probably is too indefinite a standard when applied to a right as firmly grounded among our basic liberties as is freedom of speech and assembly. In the past we have too often seen examples of executive arbitrariness under the umbrella of "the national security" and "the conduct of foreign relations."

Fourth. A refusal to issue a passport may not rest upon confidential, undisclosed information, under a blanket, unlimited authority to use the same. Such a refusal would, in all probability, be a denial of due process of law under the fifth amendment. The authority to use confidential information in the administrative process, under imprecise standards, coupled with the power to delegate the authority to subordinates, can result in a breeding ground of arbitrariness in the course of which innocent people may suffer. I have spoken here of blanket, unlimited authority. There may be room for an exception to cover the hard-core Communist case, under which the Secretary of State or the Under Secretary, personally, will certify that disclosure will expose a double or buried agent of tested and known reliability, that such exposure will be prejudicial to the national interests, and that the case may not be decided without resort to such evidence. But even then, full access to the evidence in question should be given to the court, under seal, for examination by the court in camera.

I have not in this discussion tried to spell out an entire code to govern the issuance of passports, or to draft legislation. My purpose here has been only to state my views on some of the fundamentals, and I would hope that consideration of this matter in the Congress would be guided by those fundamentals. Neither have I touched upon the whole subject of area restrictions, except indirectly. Here, I would recommend the report of the special committee to study passport procedures of the Association of the Bar of the City of New York, an excellent report, prepared by a distinguished committee of lawyers. Its conclusion on the subject of area restraints is as follows:

"Travel abroad by all U.S. citizens may be prohibited in areas where the Secretary of State determines that such prohibitions should be imposed in the national interest, but only in situations of exceptional gravity. The imposition of area restrictions should be accompanied by a statement by the Secretary of State setting forth the reasons therefor. Exceptions to general area prohibitions, permitting travel by particular individuals or groups, may be made by the Secretary of State in his discretion."

In closing, I should like to make a reference to a document of great importance, which is too seldom invoked. It is the Universal Declaration of Human Rights, which this year celebrates its 10th anniversary. Article 13 of the declaration reads as follows:

"ART. 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state. (2) Everyone has the right to leave any country, including his own, and to return to his country."

The United States along with the other member nations, has pledged itself to achieve, in cooperation with the United Nations, the promotion of universal respect and observance of the human rights and fundamental freedoms set forth in the declaration. Let us in the United States be faithful to our pledge.

Speech and Hearing Bill

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mr. FOGARTY. Mr. Speaker, I rise to speak for the 15 million Americans handicapped with hearing and speech defects who cannot speak for themselves or hear your answer to their pleas for help.

It is no wonder that over 3 million of these are children, since more children are handicapped from hearing and speech defects than from any other single cause. Many of these children have neither heard their mother's voice nor learned about God. Yet they have received scant attention from the public because their plight is not dramatic. Since they neither speak nor hear they are considered dumb and stupid. Other physical ailments, being self-evident, have attracted sympathy and received considerable help from individuals and agencies, yet those children who live in a silent noncommunicative world have had little thought or opportunity given to them.

Ten thousand children are forced to leave grammar schools each year because of hearing or speech defects. The rehabilitation potential of those pupils makes this waste a national tragedy.

The problem is far-reaching. The economic loss alone is staggering. Servicemen, particularly those flying the jets, veterans, labor in the noisy industries, and certain research workers, are debilitated from hearing losses. With the present lack of facilities, many of the above persons receive no help. Consequently, many are forced to retire or change jobs. It is conceivable that these losses could affect our defense effort. To

say the least, millions of dollars are required to train new personnel.

The effects of hearing and speech defects are also widely felt in medicine and dentistry. No program for the treatment of cerebral palsy, polio, mental health, cleft palate, hairlip, and some other diseases can function adequately without a companion hearing and speech program.

There is necessarily great interest in the aged at this time, 10 percent of whom have an incapacitating hearing loss. Cancer takes a toll of 2,000 or more voices each year, necessitating the removal of the vocal box. These laryngectomized patients can talk again, provided you give them the means.

I am advised that there are only 4,000 professionally trained audiologists and speech pathologists in this country, many of whom are without adequate training. It is conservatively estimated that 20,000 additional postgraduate students need education training in this field. Until this figure is approached, hearing and speech centers will be unable to expand and few new centers will be established. Until expansion is possible, research for the numerous problems discussed above, will continue to lag, the teaching programs for this needed graduate personnel will remain under par and the growing rehabilitation problem cannot be met.

With the purpose of alleviating this situation I have introduced a bill which would make grants to institutions of higher learning for the instruction of graduate students in the field of hearing and speech. The bill provides that the program is placed under the direction of the Secretary of Health, Education, and Welfare. The Secretary will be assisted in determining policies and programs by an advisory committee serving without compensation and appointed by the Secretary with the approval of the President of the United States. This committee is to consist of outstanding individuals from specific groups, competent to render advice.

Institutions would be required to meet certain standards as outlined in the bill in order to participate in the program. Funds granted to institutions, meeting requirements as may be determined by the Secretary and the advisory committee, shall use funds in a hearing and speech program as defined in this bill solely for: first, salaries for members of the faculties teaching graduate students; second, payment of stipends to college graduates who are awarded fellowships; third, the acquisition of equipment as needed for teaching purposes; and, fourth, the administration of such a program. The bill also would make it possible for persons in allied fields, such as many branches of medicine, physics, psychology, and so forth, to receive training.

With the broad concept of this bill the great needs of approximately 10 percent of our population, those people handicapped with hearing and speech defects, would be served.

Mr. Speaker, I plead for urgent passage of this measure. In addition to the great humanitarian need, immediacy is important to the Nation. The lack of trained personnel is largely responsible for: first, the discontinuation of over a thousand pupils from public schools monthly; second, incurable deafness in a number of children living noncommunicable lives who should have received treatment before the age of three, if they were to be enabled to communicate with other people; third, the failure to rehabilitate 80 percent of the remedial cases of children who daily are becoming less able to absorb training because of age; fourth, the lack of one or more comprehensive speech and hearing centers in many States; fifth, labor, veterans, members of the aged, research men and women, industry, the Government, and society as a whole, are daily paying heavy penalties through the lack of an effective program of assistance.

The precepts of this bill are humanely just and economically sound. Prevention of deafness and restoration of millions of individuals to usefulness is cheaper than any form of charitable maintenance. A normal life, including the ability to pay taxes, is their right and their wish.

Chronic Unemployment Needs Action

EXTENSION OF REMARKS
OF
HON. JOHN M. SLACK, JR.
OF WEST VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, March 12, 1959

Mr. SLACK. Mr. Speaker, under leave to extend my remarks in the RECORD I wish to insert and call the attention of my colleagues to testimony which I submitted yesterday before the House Banking and Currency Committee which is presently considering measures designed to benefit depressed areas and encourage area redevelopment.

The statement follows:

The general topic under consideration before this committee is second to none in national importance, and the actions to be taken as a result of these hearings will have far-reaching consequences. The economic redevelopment of those areas which have lost step in the forward march of our national progress is no longer a matter of interest to a few Members of Congress or to a relatively small percentage of our citizens.

It is demonstrably a national challenge, arising out of national and even international trends, and of increasing interest to more persons every year. The manner in which it is approached, and the extent to which it is recognized for what it actually is, will go far toward encouraging or discouraging national unity of thought and purpose in our struggle to maintain economic leadership among the peoples of the world.

Our people today pay high taxes, and with their money we support and maintain foreign aid programs of many kinds, reciprocal trade agreements, international barter arrangements, world-wide activities through the United Nations, foreign development programs and overseas information services. All of these activities are perhaps worthy of support, and are possibly a necessary part of our role in the world situation of today, but they are a mockery and a sham if we do not first and foremost adequately protect our own people here at home. For no matter how generous our intentions abroad, no nation overseas has a prior claim on us above and beyond that of our own people for food and shelter and the right to an opportunity to earn a decent livelihood.

At first glance it seems strange indeed that we must consider legislation of this kind at all. As a Nation we are generally prosperous today. At the end of 1958 our gross national product had reached an annual rate of $453 billion, an all-time high and an increase of $13 billion over the previous year. Personal income hit a new high also, reaching a rate of $362.3 billion annually in January, an increase of $13.5 billion over the preceding year. Construction and new housing are increasing, and the indications are that, with the exception of a few industries and a few areas, most of the ground lost during the 1958 recession has been regained.

Total unemployment has declined slightly, to 4,724,000, and constitutes 6 percent of the labor force, as against 7.6 percent a year ago.

In the face of these figures, however, we must acknowledge that there are areas which do not respond to the upturn of the business cycle, but remain dormant or continue to decline as our economy progresses. These areas are the victims of a special situation, and their recent history marks them as forerunners of serious trouble in the future. Their circumstances underscore the need to begin action to solve their special problems now, that we may learn today on a pilot basis the procedures which will be effective wherever the situation may develop tomorrow.

On the basis of facts established there is little disposition to dispute the causes of chronic unemployment in particular areas. It is directly traceable to technological advancement by industry. We in the Congress support and actively encourage the increase of technical skill and productivity in business and industry. Much has been said recently about the threats from our enemies overseas, and fear has been expressed that they will surpass us in technical skills. All of us know that we as a Nation cannot afford to be second best in the international race for top industrial skill.

But some by-products of this progress are, as in this case, problems in terms of displaced human beings. The advance of the machine adds muscle power to our national strength, but at the same time forces some of our people into permanent idleness. They become casualties of the battle for international survival, with none of the protection afforded the casualties of any other type of conflict or disaster.

We are actively encouraging programs designed to increase and accelerate the education of scientists and engineers. Their efforts will be reflected throughout our economic life in the years to come, and the pace of technological advance must inevitably quicken as their knowledge is brought to bear on existing methods and processes.

Already, however, the rate of technical progress has created a pool of chronically unemployed. It has happened gradually but steadily over a period of years, and in the face of growing national prosperity. The trend is established, and knows no state or industry boundaries. I call your attention to some findings of a special study of postwar job loss published recently in U.S. News & World Report:

"Since the close of World War II, the output per worker has increased 19 percent in the steel industry. As a result, the steel industry in 1957 employed only 536,000 workers. If output per man had been the same as in 1947–49, steel companies would have needed 637,000 workers to produce the same tonnage.

"In automobiles the loss during the past 10 years because of higher output per man is

estimated at 132,000 jobs. An additional 48,000 jobs were lost because of the importation of foreign cars.

"In the oil refining industry there is an estimated loss of 71,800 jobs during the past 10 years.

"In coal mining there has been an estimated 46 percent increase in efficiency due to mechanization. In 1958 there were 195,000 employees in bituminous mining, but for the same output, as produced in 1948, there would have been required 95,000 more workers than are needed today."

You have heard from many other sources the details of the effect of mechanization on the coal industry which, on an industry-wide basis, has been first and hardest hit. I do not intend to review those details. I offer for your serious consideration, however, the knowledge that only a few weeks ago in my own State of West Virginia a mechanized mine was opened which will produce 50 tons of coal per day per man, as compared with the average of 10 tons per day by conventional pick and shovel operation.

This is technological advance run rampant. Yet, mine owners must mechanize to survive. They must be competitive nationally and internationally or they will lose markets to other fuels. What has been happening to coal will evenually happen throughout industry as we develop increasingly efficient machines and processes. It has been happening in other industries already—in textiles, leather products, and railroading, to name a few.

Recently a spokesman for the Michigan Unemployment Compensation Commission stated that, although the production of passenger cars is 12 percent ahead of a year ago, automotive employment is down 30,000 from that date, and stated further that the city of Detroit has developed a hard core of about 200,000 unemployed who just aren't going back to work in the plants.

The Wall Street Journal cites countless examples of increased productivity per man-hour, in everything from television to paper products and from floor wax to camera parts. The industrial drive for greater man-hour productivity is unceasing, and is a recognized part of the enterpriser's plan for success.

The trend is not confined to this country; it is not based on national characteristics but rather on the forces which drive an industrial economy. Recently the A. V. Roe Corp. of Canada laid off 15,000 men on 5 hours notice, and suspended the production of the Avro Arrow, Canada's finest supersonic interceptor plane. There was nothing wrong with the product or the workers, but the Arrow had been superseded by a new missile which is cheaper and more efficient.

If this can happen in supersonic aircraft, what industry or industrial region can feel certain about its status a year hence?

The foregoing statements add up to just one conclusion: The coal industry is far from alone in this situation. It has been first to feel the effects of technological advance, and its employees have seen the by-products of that advance left unattended, with the result that temporary idleness has hardened into chronic unemployment with no hope for a return to work in the future. The condition of the unemployed miner today point dramatically to the need for pioneering in the field of economic redevelopment.

For the temporarily unemployed there are programs of assistance, but for the displaced and dispossessed worker there is nothing. He is consigned to a permanent dole, and it is the permanence of his condition that I wish to emphasize most strongly.

Several weeks ago, in an attempt to pinpoint the areas in which chronic long-term unemployment has hardened into a way of life, I requested from the Department of Agriculture a tabulation of counties in which 15 percent or more of the population received surplus agricultural commodities as needy persons. Persons in this classification are necessarily unemployed, and have been unemployed for a sufficient time to exhaust unemployment compensation benefits, have generally been certified for direct relief, have little or no income, and few other food sources.

The resulting tabulation which I received emphasizes the national scope of the problem. It reported that there were 210 counties, 7 percent of the counties in the United States, in which 15 percent or more of the population received surplus commodities under the classification of needy persons. These counties are distributed through 24 States, and are in the districts served by 75 Members of the House of Representatives.

In one county 51 percent of the population received these commodities, while in numerous others between 40 percent and 49 percent are in similar condition. The average for the 210 counties was 21.8 percent of the population.

I call these figures to your particular attention because of two conclusions resulting from a study of three of these counties in my own Sixth West Virginia District:

1. Reviewing the monthly percentages during the past 2 years, we found that the number of persons receiving commodities seldom rises or falls more than 1 percent in any month. In short, the trend has been growing slowly for a long time, and cannot be reversed overnight.

2. Employment experts in my district estimate that 72 percent of those persons now receiving commodities are unemployed employables.

As proof of the relentless growth and permanent nature of the trend, I offer you these statistics from the Department of Agriculture:

Needy persons in family units receiving commodities

Fiscal year:	
1956	3,170,000
1957	3,485,000
1958	4,665,000
First half of 1959	5,230,000

Surplus foods are distributed to needy persons in 45 States, although the percentage of recipients is notably small in some. The percentages are excessively high in some other States, however, and it is noticeable that those are the very States which have been hardest hit by chronic unemployment due to technological progress. The top 10 States, according to number of recipients, are as follows:

Total needy persons receiving surplus commodities

State:	
Pennsylvania	829,550
Michigan	538,385
New York	348,871
Mississippi	331,441
West Virginia	278,223
Kentucky	254,377
Oklahoma	246,960
Arkansas	219,354
Tennessee	154,551
Louisiana	137,713

Statistics of this kind are helpful, but they must not cause us to lose sight of the human element they represent. The bald statement that a needy person receives surplus agricultural commodities means that he receives currently just five items—butter, dry milk, rice, flour, and cornmeal. The commodities distributed are controlled by previous legislation enacted by the Congress, and the Department of Agriculture has no responsibility to conduct a welfare program, or authority to purchase foods to help States or communities operate welfare programs for the needy.

In the areas of chronic unemployment thousands of families exist on these commodities alone, and in my own district I have talked with families who have not had fresh milk, eggs, meat, or citrus juices for periods ranging up to 2 years. These Americans actually exist on a diet less than half as nutritive as that provided for the occupants of displaced persons camps in Europe after World War II. From a nutrition standpoint they are slightly below the level of common laborers in the Soviet Union, as reported by Senator ALLEN ELLENDER last year after a visit to Russia, when he stated that the largest proportion of Soviet citizens in the common laboring class subsisted on a diet of black bread, cabbage, potatoes, beets, and tea.

To give you an idea of the situation that is developing, the Bureau of Nutrition of the West Virginia State Health Department reviewed the diet of persons existing on surplus commodities and announced that the average family of four would receive, for 1 month, 20 pounds of flour, 10 pounds of corn meal, 9 pounds of powdered milk, 2 pounds of rice, and 4 pounds of butter. This would give them only 26 percent of the calories they need each month, 36 percent of the proteins, and 46 percent of the calcium considered necessary for good health. In other words, a protracted diet of this kind will create a group of persons who will soon not be able to work, and will rear children condemned to be a permanent charge on the community.

This condition is destroying home and family life. Children quit school and migrate without being prepared to work, fathers desert their families so the families will become eligible for relief, crime is on the increase, but these desperate people steal food, not money, according to local enforcement officials.

Only one conclusion is supportable in the face of the evidence—our mode of industrial advance is cannibalizing our own people. Technical progress, without attention to its by-products and effects on human beings is building a massive complex of industrial skill based on a pile of human bones and operating to the tune of wailing, hungry children.

We are already working around the edges of the problem. This year we will again appropriate funds for more surplus foods for needy families, and for school-lunch programs. We will, no doubt, extend the supplemental unemployment relief measure set up by the last Congress. In these and other ways we will spend millions of dollars to deal temporarily with the undesirable aspects of the problem without undertaking a general assault on the core of the problem itself.

This piecemeal approach cannot be effective. The problem is too great and its origins are too complex. It can only be overcome by a bold program of action in several areas simultaneously:

1. Liberalization of the surplus commodities program as a temporary measure to maintain life and health among those who have been displaced by the growth of machine efficiency.

2. An economic redevelopment measure to place the Federal Government in support of efforts to correct the situation, and to lend the power and prestige of the Federal Government to such efforts as a recognized Federal policy.

3. Public works activity in these areas where economically justifiable, on a priority basis, particularly where such public works will improve the attractiveness of such areas to industry.

I am not speaking here in behalf of any particular measure already introduced. Indeed, it may well be that this committee will, after hearing the testimony, conclude that a

new and inclusive measure should originate with the committee itself.

Further, I am not proposing a massive spending program. But when we use that word "spending" it is only fair to remember a few facts: We are currently spending at the rate of $6½ billion per month, or $40 per month for every man, woman, and child in the United States. Would it be unreasonable to embark on a program to recoup the fortunes of the dispossessed at the rate of $10 per month for each of the 4 million unemployed employables? This would add up to $480 million a year.

I do not propose this figure as a basis of consideration, but only as a spending yardstick, if the program is to be considered as a spending measure. Certainly some money must be spent, but it will be self-liquidating through the return of these people to full status as citizens, able to bear their share of the tax burden. I have talked with dozens of them, and they want work, not handouts. Money itself is not the answer.

The answer would appear to lie in recognition of the trend as a growing national economic peril, of which the situation in these districts is but a forerunner; in placing the strength of the Federal Government behind a definite program of evaluation and correction; in activities which will increase job opportunity by creating conditions which will be attractive to industry and lead to long-term economic stability in these areas; in short, an investment in the future of a growing segment of our people.

The Congress has faced similar specific problems before and has acted to control them. When nuclear energy was born, the Atomic Energy Commission was devised to deal with its development and use. When space flight began to seem possible, the National Aeronautics and Space Administration was created. This problem deserves similar treatment on a long-range basis, or we will be caught unprepared in the years to come.

The alternatives are brutal and unthinkable. Condemn a growing number of Americans to a starvation diet, without hope for the future, or tell them to uproot themselves and be scattered across the continent, seeking work as best they can, destroying home ties and family loyalties. This would indeed mark a low point in the development of the American heritage, and constitute a damage to national morale far more serious than could be created by an enemy with a bomb.

I am confident that this committee will grasp the implications of the problem, and will demonstrate the resourcefulness in meeting it for which the Congress is world-famous, in war and in peace. And I believe that when the record of this Congress is written, and the pages are studied in future years, it will be unanimously agreed that your efforts to deal with this problem will stand as a high point of accomplishment for this congressional session.

USDA Barter Regulations Depress Our Commodity Markets

EXTENSION OF REMARKS

OF

HON. W. R. POAGE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mr. POAGE. Mr. Speaker, the awkward regulations which surround the Public Law 480 barter program have had the unfortunate effect of cutting world prices on U.S. agricultural commodities, seriously disturbing trade operations and preventing the movement of our farm products into some of our normal export areas.

As a result of the so-called modified barter regulations, instituted last fall by the Department of Agriculture, this program lacks the flexibility which would enable it to supplement our cash sales and to meet competition from the Soviet bloc. In fact the Department has publicly admitted that it is more difficult to move commodities under their present regulations than it was under the old ones, which the Congress had sought to liberalize under the new law.

Two years ago, over $350 million in surpluses were moving into export annually through barter, at discounts or commissions to exporters averaging only one-half to 1 percent, and with no disruption of world prices or normal trade operations. Now, as a result of the new regulations, we are moving commodities at a rate of less than a hundred million dollars a year, at discounts ranging from 7 to 12 percent, or even higher. And these discounts are beginning to have a serious effect on normal commercial sales and world prices.

I want to emphasize that the present high discounts on exported commodities are not taken out of the price paid to the CCC. They are made possible only because the private traders are able to capitalize on temporarily depressed minerals markets. In some cases, they are buying material at distressed prices. Were it not for the fact that stockpile materials can be purchased at 10 percent or so below world prices, it would be difficult, if not impossible, to negotiate barter deals under the present regulations. We are doing business now only because we can take advantage of the misfortunes of others.

Of course the American farmer, and the foreign producers too, are hurt by the big discounts, because they have the effect of cutting both the prices and the quantities of agricultural commodities that are sold abroad. Foreign buyers, in a desire to buy their stocks at a reduced price, may hold off buying in hopes of getting a discount.

In place of a good barter program which supplements and stimulates our cash sales, such as we had before these restrictions were instituted, we now have an operation which invites unfortunately large discounts on the small amount of goods that are being bartered.

There is absolutely no doubt in my mind that the procedures required under the so-called modified barter regulations are responsible for the present high discounts. These regulations make it so difficult to dispose of our farm surpluses overseas that those with materials to barter are having to pay these unreasonable commissions in order to barter at all. All the responsible contractors I talked with have affirmed this, and I believe that the experts in the Department of Agriculture would also affirm it.

I would like to explain, as I understand it, how the barter regulations are creating this situation. Although the matter is somewhat technical, briefly it amounts to this: in order to deliver goods into the big "A" and "B" markets—the countries which would be the best outlets for our surplus—a contractor must specify ahead of time the commodities and the country into which he intends to sell and from which he must secure the materials covered by the barter contract. By the time he gets approval from the Department of Agriculture, which takes up to 3 months, the contractor may find that the market he counted on no longer exists. In this situation, if he were permitted to dispose of the commodities into any of the free world countries, he could move the surplus into some other market; but under the present regulations he has to sell the commodities within the specified country. Under these circumstances there is a great risk that he may be forced to reduce his price or even to take a heavy loss. Thus the reason for the high discounts.

These regulations are creating the unfortunate situation they are supposed to prevent. They depress our cash commodity markets. They cripple our barter program. They are a real hindrance to our efforts to distribute our tremendous agricultural surplus.

We urge the Department of Agriculture to modify or abolish these regulations which now frustrate the barter program.

Address of Hon. Arthur S. Flemming

EXTENSION OF REMARKS

OF

HON. FRANCIS E. DORN

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, March 12, 1959

Mr. DORN of New York. Mr. Speaker, on Sunday, February 22, 1959, the Stanley H. Miner Memorial Pavilion of the Methodist Hospital, of Brooklyn, N.Y., was dedicated. We were very fortunate in having as our principal speaker the Secretary of Health, Education, and Welfare, the Honorable Arthur S. Flemming. I believe his remarks on the occasion of that dedication are worthy of the attention of my colleagues, and I incorporate them herewith:

Mr. Diefendorf, those who are associated with the ministry of this great hospital, and the friends of this hospital, I can assure you that I appreciate more than I can express adequately in words, the opportunity of participating in this manner in this dedication. I am sure that it is difficult for you to understand just how much those words from Dr. Marshall mean to me. After one listens to such words, he should be very sure of the fact, to use a Government expression, that he has a system of checks and balances operating in his own life. Through the years I discovered that the best guarantee for that is to have some children in your household. About 10 years ago, I was about to be inaugurated president of Ohio Wesleyan. Mrs. Flemming and I were walking down the main street of Delaware, Ohio, with my then 8-year-old daughter. We had just visited the grave of Bishop and Mrs. Baxter. Bishop Baxter was one of the early presidents of Ohio Wesleyan. During the course of conver-

sation, Mrs. Flemming said to Susie, "You know daddy is about to become the ninth president of Ohio Wesleyan." Without a moment's hesitation, came the response, "Yes; and there'll be a 10th." Somehow, she was right, because there is a 10th right now, having just recently assumed the duties and responsibilities of that office.

One of the fine things about the position I now occupy is that as the incumbent of this position you are given the privilege from time to time of sharing in the victories that take place in the fields of health, education, and welfare. Surely, the dedication of these marvelous facilities is a victory, a victory over the temptation that so easily besets all of us. They want to turn aside from the opportunities to participate in the ministry of healing and to "pass by on the other side of the road."

I also want to express my gratitude to those who planned this program for making it possible for Arthur Flemming to participate in the program. This is a very special hospital as far as I am concerned. It is a hospital that was founded and has been supported by the members of the denomination with which I have always been and always will be proud to be associated. It is a hospital that for almost 20 years had the benefit of the leadership of a good minister of Jesus Christ who gave me, as he has already indicated in his introductory remarks, the right hand of fellowship as I joined Trinity Methodist Church in Kingston, N.Y., and whose life of dedicated service has always been and always will be an inspiration to me.

It is a hospital that now has as its chaplain a man who gave me and thousands of other Ohio Wesleyan students an insight into the Gospel of Jesus Christ that we will never forget as he occupied the pulpit of the Williams Street Methodist Church in Delaware, Ohio, the home of Ohio Wesleyan University. It is a hospital that had as one of its trusted leaders and outstanding benefactors a truly great man whose friendship it was my privilege to enjoy over a period of the last 6 years. Ellis Phillips has left an indelible mark on my life just as I know he has on the lives of countless other persons. I am not surprised that he and Mrs. Phillips decided to give this chapel. Certainly it is a source of inspiration to those of us who have the privilege of being here this afternoon and will continue to be a source of inspiration and comfort to countless thousands of persons down through the years. The reason I am not surprised is that it was their idea that religion and education should be linked together in the beautiful building that they gave to Ohio Wesleyan University. It is providing the setting for what will be some of the most meaningful services of worship that take place on the Ohio Wesleyan campus.

Finally, this is a hospital that my father remembered in his last will and testament. I know that he remembered because of his conviction that the money that he had earned would be used in such a manner as to strengthen the hospital's ministry of healing. I am likewise sure that his bequest was his way of expressing his gratitude for a friendship that meant as much (if not more) to him as any other friendship that he enjoyed throughout his life, the friendship of Chester C. Marshall. These are the reasons that prompt me to say "Thank you" for inviting Arthur Flemming to participate in this program.

The tenth chapter of Acts provides us with an account of the visit of Peter to the town of Cornelius the centurion. Within that chapter, nine verses are set aside for the purpose of presenting to us what in effect is a Reader's Digest life of Christ as told to Cornelius by Peter. In that brief account Peter felt that it was very necessary to include this statement, "Now he went about doing good and healing all that were oppressed by the devil, for God was with him."

Have you ever thought how strange it is that an expression that Peter lifted up in order to describe one aspect of the Master's ministry is used so often in our day to express contempt for some of our fellow human beings? When men and women turn the spotlight on human needs and insist on action to meet those needs so often their efforts are dismissed by their expression, "Oh, well, they're just a group of do-gooders." It is these "do-gooders" that I would like to think about with you for just a few minutes on this very important occasion.

I'm sure that if we can engage in a conversation about this expression someone would say something like this, "I really don't intend to express my contempt for such persons. I'm simply trying to point out that they're not practical. They seem to think that money grows on trees. They just don't seem to realize that all of these needs can't be met." Frankly, I think that you and I are simply trying to appease our own consciences. We are trying to rationalize our own insistence on indulging in the luxuries of life in the midst of human need. We are trying to justify our failure to use the time, energy and resources that have been entrusted to us in order that we may go about doing good.

Today, as a result of the experiences that I have had since assuming the duties of my present office 6 months ago, I'm more thankful than ever before in my life for the "do-gooders". I'm glad that they are focusing our attention on cancer, heart disease and many other diseases that are causing suffering and heartache, and are insisting on the fact that there must be a way out.

A few weeks ago, I spent the better part of the day at the clinical center of the National Institutes of Health out in Bethesda, Md. One section of this clinical center is set aside for the research activities that center around children with leukemia. The doctors and nurses talked with me about the research activities that are under way. They told me that because of certain developments, it has been possible for them to extend the lives of the children who come to that center, not by years, but by a few weeks or by a few months. They told me about their hopes that while the lives of these children are being extended in this way, a breakthrough might take place that would make it possible for those children and many others to look forward to normal lives. That breakthrough hasn't taken place. I am convinced that as a result of the dedication that is taking place all over this Nation, on the part of men and women who are determined to stage such a breakthrough that it will ultimately take place. One cannot become acquainted with activities of this kind with the dedicated spirit that accompanies these activities on the part of doctors and nurses and research workers without being thankful for the "do-gooders" who insist on staying with this problem until there is a breakthrough.

I am glad and increasingly so that there are do-gooders in our midst who insist on focusing our attention on the opportunities that we have missed and are missing in the field of education. We haven't provided the opportunities we should provide for retarded children, for exceptional children, and for those who fall in between. As a society we haven't provided the educational opportunities we should provide for our children and young people without regard to race, color or creed.

Not long ago I was talking with a former distinguished resident of Brooklyn, Branch Rickey, about this particular problem and I wish that you could have heard him underline his convictions in this particular area. All we have to do is to look around us in order to realize that we are paying the penalty for sins of omission in the field of education.

I am likewise thankful for the do-gooders who are constantly reminding us of what we can do in our communities through the use of both public and private funds to help those who are ill, those who are handicapped, those who are in need of food and clothing, those who are imprisoned, and those who can profit from competent counseling. Yes; I'm thankful for the more than 6,000 do-gooders who have made this great building possible. As I think of the relationship that all this has to some community, some place in this Nation; and as I think of the tremendous opportunities for service that exist in these communities, I feel that there are times when we should hang our heads in shame when we do not follow the lead of the do-gooders at least to the extent, for example, of meeting our goal in a united fund or community chest drive.

Also, I am glad the do-gooders are pointing out what can be done to replace despair with hope by providing those who are handicapped with the medical care and with the training that enables them to once again become productive members of our community. When one begins to realize and appreciate what can be done in this area, he cannot help but wonder why we are so timid about investing our resources both public and private in vocational rehabilitation programs.

Sometimes we shrug off the do-gooders by saying something like this, "They think that government is the only institution in society that can deal adequately with these pressing human needs. Because they think this way, they constitute a real threat to our way of life." I believe that this is an unfair characterization of the persons we are talking about. Most of those who persist in focusing our attention on these pressing human needs put it this way: let's determine what we need in order to meet these needs; then, let's determine what constitutes a fair share for both public and private groups; then, let's do everything we can to persuade public and private groups to accept their fair share. In other words, the do-gooders primary concern is that we face up to the human needs that confront each one of us and resolve to do something about meeting those human needs. This kind of person I'm talking about isn't going to take very much time arguing about the method.

"Now he went about doing good and healing all that were oppressed by the devil, for God was with him." Let's all of us become better acquainted with the "do-gooders" who in our day seek to follow in the footsteps of the Master. They will prick our consciences, they will challenge us not to pass on the other side of the road in order to avoid the needs of our fellow human being. Let's not only become better acquainted, with the "do-gooders" of our day, but let's strive to be "do-gooders" ourselves. In our striving, however, let's realize that no matter how fine our resolutions may be, we will not succeed in doing good unless God is with us. During this Lenten season may we develop a far better understanding than we have ever had of the strength that God, revealed to us through His Son, Jesus Christ, can bring into our lives so that it will be possible for us to "go about doing good."

This hospital has had a great history because thousands of persons have looked upon it as a medium through which they could serve the needs of their fellow human beings; and they have never been disappointed. The resources that have been entrusted to this hospital have been used

wisely and well. I am convinced that the greatest days for this hospital and for other comparable institutions throughout our Nation lie ahead of us. Never before, I am convinced, have men and women been as willing to give of their time, energy, and resources to serve others. More and more men and women want to join that great company of "do-gooders." This is why, personally, as I look to the future, I do so not with a feeling of pessimism, but with a feeling of optimism. I am convinced that as more and more join the great company of "do-gooders" that we are setting into motion those spiritual forces throughout this world that will ultimately provide us with the kind of spiritual breakthrough that will lead us into the pathway of peace.

HOUSE OF REPRESENTATIVES

FRIDAY, MARCH 13, 1959

The House met at 12 o'clock noon.

Rev. Charles W. Holland, Jr., pastor, Fountain Memorial Baptist Church, Washington, D.C., offered the following prayer:

The Psalmist has said, Psalms 34: 3: *O magnify the Lord with me, and let us exalt His name together.*

Merciful and omniscient God, we do thank Thee for Thy great and tender mercy.

We know that even when a sparrow falls to the ground Thou art mindful of it.

We thank Thee, therefore, Heavenly Father, for the routine necessities of life, food, shelter, clothing, and all that enters into our daily existence. May we never accept these gifts nonchalantly; but remember that they come through Thee.

We thank Thee for wisdom and solicit Thy continued guidance for this great law-forming body of men and women.

These thanks we give, and requests we make, through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Ratchford, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. McGown, one of its clerks, announced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 47. Joint resolution providing that certain communication activities at the IX Plenary Assembly of the International Radio Consultative Committee to be held in the United States in 1959 shall not be construed to be prohibited by the Communications Act of 1934 or any other law.

EXPENSES OF CONDUCTING STUDIES AND INVESTIGATIONS INCURRED BY COMMITTEE ON AGRICULTURE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution, House Resolution 156, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective January 3, 1959, the expenses of conducting the studies and investigations authorized by H. Res. 93, Eighty-sixth Congress, incurred by the Committee on Agriculture, acting as a whole or by subcommittee, not to exceed $50,000, including expenditures for the employment of accountants, experts, investigators, attorneys, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House, on vouchers authorized by such committee, signed by the chairman of such committee, and approved by the Committee on House Administration.

SEC. 2. The official committee reporters may be used at all hearings, if not otherwise officially engaged.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

BASIC COMPENSATION OF EXPERT TRANSCRIBERS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution, House Resolution 197, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the basic compensation of the eight expert transcribers, office of the official committee reporters, and the seven expert transcribers, office of the official reporters of debates, shall be at the basic per annum rate of $3,450 each, effective March 1, 1959.

The SPEAKER. The question is on the resolution.

The resolution was agreed to, and a motion to reconsider was laid on the table.

COMMITTEE ON BANKING AND CURRENCY

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 198), and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That, effective January 3, 1959, in carrying out its duties during the 86th Congress, the Committee on Banking and Currency is authorized to incur such expenses (not in excess of $5,000) as it deems advisable. Such expenses shall be paid out of the contingent fund of the House on vouchers authorized by such committee, signed by the chairman thereof, and approved by the Committee on House Administration.

Mr. GROSS. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Iowa.

Mr. GROSS. When did all this start?

Mr. FRIEDEL. The $5,000 for the Committee on Banking and Currency?

Mr. GROSS. Yes.

Mr. FRIEDEL. In the 85th Congress they received $5,000 also.

Mr. GROSS. Were these bills on the whip notice to come up today?

Mr. FRIEDEL. Yes; it was cleared with the leadership.

Mr. McCORMACK. Mr. Speaker, if the gentleman will yield, not on the whip notice, because they are preferential matters. They are not included in the whip notice because they have a preferential status.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON WAYS AND MEANS

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Res. 206) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved, That the expenses of conducting the studies and investigations authorized by House Resolution 182, Eighty-sixth Congress, incurred by the Committee on Ways and Means, acting as a whole or by subcommittee, not to exceed $300,000, including expenditures for the employment of experts and clerical, stenographic, and other assistants, effective January 3, 1959, shall be paid out of the contingent fund of the House on vouchers authorized by such committee or subcommittee, signed by the chairman of the committee, and approved by the Committee on House Administration.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CODE OF ETHICS FOR GOVERNMENT SERVICE

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I submit a privileged resolution (H. Con. Res. 15) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

Resolved by the House of Representatives (the Senate concurring), That there shall be printed as a House document the "Code of Ethics for Government Service" as adopted by the Congress in H. Con. Res. 175, Eighty-fifth Congress. Such code shall be run in two colors and gold from letterpress plates reproducing engrossed artwork, hand lettered and appropriate for framing and office wall display. Stock for prints shall be one hundred and sixty pound white, size twelve and one-quarter inches by sixteen and one-quarter inches flat. Prints shall be inserted in white envelopes inside mailing brown envelopes of twenty-eight pound brown kraft, flaps sealed or tucked in with one corrugated board protector. In addition to the usual number, there shall be printed a sufficient number of extra copies to provide twenty-five copies for use and distribution by each Senator and each Representative. For the purposes of this resolution, the Delegate from Hawaii and the Resident Commissioner from